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HAYDEN AND SCHROTE NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF JOHN MICHAEL HAYDEN, TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR FISH AND WILDLIFE AND PARKS; AND JOHN E. SCHROTE, TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR POLICY, MANAGEMENT AND BUDGET

JUNE 6, 1991

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HAYDEN AND SCHROTE NOMINATIONS

THURSDAY, JUNE 6, 1991

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 9:36 a.m., in room SD-366, Dirksen Senate Office Building, Hon. Malcolm Wallop, presiding.

OPENING STATEMENT OF HON. MALCOLM WALLOP, U.S. SENATOR FROM WYOMING

Senator WALLOP. The hearing will come to order.

This is what is known as a coup, a palace coup. I have taken over from the chairman. Larry, we are in charge. Away we go.

Let me begin by saying good morning and welcoming to the committee today Governor Mike Hayden, who has been nominated to be the Assistant Secretary of the Interior for Fish, Wildlife and Parks, and Mr. John Schrote, who has been nominated to be Assistant Secretary of the Interior for Policy, Management and Budget.

Governor Hayden is a very well qualified candidate for the position of Assistant Secretary for Fish, Wildlife and Parks. A trained wildlife biologist, he holds a bachelor of science degree in wildlife conservation and a master's degree in biology.

Governor Hayden has received numerous awards for his achievements as a conservationist, including twice being named as Conservation Legislator of the Year by the Kansas Wildlife Federation. As a former Governor as well as a former State legislator, Governor Hayden is familiar with the political processes and has been recognized for his leadership capabilities.

I believe Governor Hayden will serve the Department of Interior ably and I support his nomination.

Mr. Schrote has held the position of Deputy Assistant Secretary of Interior for Policy, Management and Budget since 1989 and currently is serving as Acting Assistant Secretary. He served in a number of high-level staff positions both in the administration and on the Hill. He holds a bachelor of science degree in agriculture and a master's degree in economics.

I believe Mr. Schrote to be well qualified for the position to which he has been nominated and I support his nomination.

[A prepared statement of Senator Murkowski follows:]

PREPARED STATEMENT OF HON. FRANK H. MURKOWSKI, U.S. SENATOR FROM ALASKA

Thank you, Mr. Chairman. I would also like to welcome you, Governor Hayden and Mr. Schrote. There are several issues of concern that affect my State in particular, and involve both the National Park Service and the Fish and Wildlife Service. Rather than take up the Committee's time elaborating on those issues, I want to say that I look forward to working with both of you in the upcoming years. I trust that we will have a good relationship and that we can apply common sense to resolving many issues of concern to all of us.

Governor Hayden and Mr. Schrote, there are two specific areas of concern that I would like to briefly address. First, we currently have a backlog of authorized but unacquired lands within units of the National Park System, which are not likely to be acquired within the lifetimes of the members of this Congress, or even those of our successors.

We have built a backlog of acquisition which makes additional acquisition of new parks and wildlife refuges almost wishful thinking. The fact is that resources are finite, and priorities must be decided upon. It is imperative that you deal with this issue. Without some system of prioritization, I fear we will just add more applicants to the backlog of acquisition during this Congress and in future sessions.

Secondly, regarding the Park Service and Fish and Wildlife Service budgets—this may be more germane to the Park Service—I have a fear that what we are being asked to authorize are items that are "nice" to do, rather than addressing programs that should or need to be done. I am going to take a very active role in the oversight of these budgets.

Last, if I or my staff can be of any assistance to you in these or any other endeavors, I will be more than pleased to cooperate with you.

Mr. Chairman, I have several questions to submit for the record. Thank you.

Senator Wallop. Before we hear from Senator Dole, there is a standard oath and I would ask the two nominees to rise and raise their right hands.

[Whereupon Governor Hayden and Mr. Schrote were duly sworn by Senator Wallop.]

Senator Wallop. Please be seated.

Before you begin your statement, I must ask you three questions that are addressed to each nominee before this committee.

First, will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to the issues of Congress?

Mr. Schrote. Yes, sir.

Governor Hayden. Yes, sir.

Senator Wallop. Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest or create the appearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the President?

Mr. Schrote. No.

Governor Hayden. No.

Senator Wallop. Are you involved or do you have any assets held in blind trusts?

Mr. Schrote. No.

Governor Hayden. No.

Senator Wallop. There is a script here which I followed, but you do not have. But you are theoretically to say not only just no, but: "My investments, personal holdings, and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interests. There are no conflicts of interest or appearances thereof to my knowledge."

Mr. Schrote. That is correct.

Governor Hayden. That is correct.

Senator Wallop. Let the record show that they both made that statement.

And the chairman has arrived. The coup has been foiled. We are now ready to hear from Senator Dole.

Senator Ford [presiding]. He is a former Governor. It is so hard.

STATEMENT OF HON. ROBERT DOLE, U.S. SENATOR FROM KANSAS

Senator Dole. Thank you, Mr. Chairman. Thank you, Senator Wallop.

I would like to insert in the record on behalf of the Hayden nomination a statement by my colleague, Senator Kassebaum.

Secondly, just I would ask that my own statement with reference to Governor Hayden be made a part of the record.

Senator Ford. Without objection, so ordered.

Senator Dole. Mr. Chairman and Senators Wallop and Craig, I would just say at the outset I know Mike Hayden very well and it is a privilege to come before the committee when you actually know the nominee. You know, sometimes you do not know the nominee as well.

I am going to introduce John Schrote. I do not know John as well, but I have known him for a long time. But I have worked with Governor Hayden. I have had the opportunity to observe Governor Hayden not only when he was Governor, but when he was speaker of the house, and prior to that time.

He comes from a small town in western Kansas, Atwood, Kansas. He is known as a man of integrity, hard work, and, as just indicated by Senator Wallop, here is someone who is really qualified for the position he seeks, and in my view that is very, very important.

I think you will find, as he has also responded, that he will be available to this committee. He is a hard worker. He will be available night or day. Whenever members of this committee have any problems or any questions, Governor Hayden will be there.

He has had a lot of time, spent a lot of time in rural Kansas. He understands the problems that we have in rural America. And I know that each of the members here this morning are concerned about the future of rural America.

He has an outstanding war record as an infantry platoon leader and company commander. He was awarded the Gallantry Cross, the Soldier's Medal for Heroism, and the Bronze Star for his actions in Vietnam.

He has got a master's degree in biology and all the things that I think you are looking for, and someone who also has public service, understands how to deal with the legislative process, the executive process, and the people out there. In my view, we have got an outstanding nominee in Mike Hayden.

So I am very pleased to be here to present him to the members of the committee.

I have not known John Schrote as long, but I would just say we worked together when he worked for Jack Block, Secretary of Agriculture. He has been around this city for 22 years. He has a good record. Nobody has ever questioned his integrity, his honesty. In my view he is well qualified for the position that he has been nominated for.

So Mr. Chairman, I see we have one, two, three, four Republicans. Maybe I could move the nominations be reported or something at this point.

[Laughter.]

Senator **Ford**. I am going to treat you like you have been treating us: The minority wins. How about that?

Senator **Dole**. He is going to veto it.

Senator **Ford**. Yes, I am going to veto it.

Senator **Dole**. Well, thank you very much, Mr. Chairman.

[The prepared statements of Senators Dole and Kassebaum follow:]

Prepared Statement of Hon. Robert Dole, U.S. Senator From Kansas

Mr. Chairman and members of the committee, there is probably no higher honor and privilege afforded the Senators than introducing to our colleagues a citizen who, being exceptionally well qualified, has been nominated by the President of the United States to a senior position in the executive branch of the government. I come before you today to introduce one such citizen from the State of Kansas.

Mike Hayden was born and raised in the community of Atwood, in western Kansas. From childhood, working on his family's farm instilled in Mike a strong sense of conserving the natural treasures with which this great Nation was blessed. So strong were his desires to "make a difference" in protecting these resources that he earned a bachelor of science degree in wildlife conservation from Kansas State University in 1966.

Following college, Mike served his State and country for the first time. As an infantry platoon leader and company commander, Mike was awarded the Gallantry Cross, the Soldiers Medal for Heroism, and the Bronze Star for his actions in Vietnam.

Following his return from military service, this decorated citizen taught as a graduate assistant at Fort Hays State University in Kansas while he earned a masters degree in biology.

Over the next 14 years, Mike Hayden served our State of Kansas for a second time, by being elected to the State House of Representatives. He was elected by his colleagues to serve as Speaker of the House in both of his last two terms.

Then, in 1987, Mike began his third type of service when he took the oath of office as Governor of Kansas. We are particularly pleased that he was the first Governor in the history of State to be a professionally trained conservationist.

Governor Hayden has been the recipient of numerous awards, including being inducted in the Army's Officer Candidate School Hall of Fame, being twice named by the Kansas Wildlife Federation's Legislator of the Year and, while Governor, as Conservationist of the Year. He also received the President's award from the Nature Conservancy for Initiating the Kansas Natural Historical Inventory.

Over the years, I have worked on a number of fish and wildlife issues with Governor Hayden. As an example, I would like to briefly mention just three. All three were either initiated or accomplished due mainly to the personal interest and intervention by Mike. To educate the public on issues confronting our fish and wildlife, Governor Hayden pushed for and received approval of Federal, State, local and private funds to construct the Wichita Environmental Education Center. This Center, located in an urban area will attune the public to the need to be concerned about our fish and wildlife resources, management practices and threats to these resources.

When a drought seriously threatened what is arguably the most important wetland for migratory birds in the western hemisphere—Cheyenne Bottoms—Mike pushed State and Federal agencies to work cooperatively to ensure this precious resource would be preserved.

And, Mike has been in the forefront in seeking support for fish and wildlife mitigation on the Missouri River by the U.S. Army Corps of Engineers.

Mr. Chairman, Mike Hayden—Governor, legislator, and decorated soldier—is first and foremost a family man, an outdoorsman, and a conservationist dedicated to balance and common sense.

I have known and worked with him for more than 20 years, and can—without qualification—highly recommended him to this committee to serve as Assistant Secretary of the Interior, for Fish and Wildlife and Parks.

Finally, I would like to inform this committee that the Committee on Environment and Public Works held a hearing on this nomination on May 21. I would expect that committee to report this nomination favorably in the very near future, and hope to expect the same from this committee.

Prepared Statement of Hon. Nancy Landon Kassebaum, U.S. Senator From Kansas

Mr. Chairman, members of the committee, it is a pleasure and a privilege to introduce Mike Hayden, President Bush's nominee to serve as Assistant Secretary of the Interior for Fish and Wildlife and Parks.

I have had the pleasure of knowing and working with Mike during his 18 years in state government, first as a state representative, then as speaker of the Kansas House and, during the last four years, as governor of the state of Kansas. It was during these years that the governor demonstrated his deep respect for the environment and his commitment to the wise use and conservation of our natural resources.

There is no question that the position the governor has been nominated to fill is one of the most difficult jobs in the federal government. It will be his responsibility to find the proper balance between competing interests and needs within our National Park System as well as the proper management of our nation's wildlife resources through the U.S. Fish and Wildlife Service. The questions and issues he will face are daunting. More than a few are bound to be controversial.

That is why I am pleased that President Bush turned to a trained conservationist to fill the assistant secretary position. Not only has Mike earned his bachelor's and master's degrees in wildlife conservation and biology, he has also been educated in the school of the outdoors. He is an avid sportsman and learned important lessons in stewardship on his family farm in western Kansas. It is this background that has led environmental groups to endorse his nomination, while at the same time business leaders call him a fair and honest man. I believe this wide ranging support will be an invaluable asset at the Department of Interior.

I am fully confident that Mike Hayden will rise to meet the many challenges that face him as assistant secretary and will display the same commitment to excellence that has earned him the President's confidence. I wholeheartedly support his nomination and look forward to working with him in the future to enhance our country's natural resources.

Senator **Ford**. Thank you, Senator Dole. We appreciate your interest in these two nominees, and your statement goes very far.

Do any of the Senators have a statement they want to make before we listen to the nominees?

Senator **Wallop**. Mr. Chairman, I might just say, I have got special orders on the floor and I will have to excuse myself. But I wish them both well and I support the nominations.

Senator **Ford**. My hope is that, having visited with both of them, that we will be able to have every question answered no later than, let us say, Monday afternoon or Tuesday morning, and at our markup next week we can take both of them to markup and have them on the Senate floor, hopefully, approved before we leave here for the July recess.

So that is my hope, that it can happen that way.

Congressman Roberts was to be here and he has not shown yet. So we will have his statement in the record if he does not arrive before we finish today.

Senator Domenici, do you have anything you want to comment on?

Senator **Domenici**. No, Mr. Chairman, I have to leave at 10 o'clock. I assume we are going to go right to them and we will get a chance to hear their remarks, and then perhaps I can ask a question.

Senator **Ford**. Fine.

Senator Craig.

Senator CRAIG. The same, Mr. Chairman.

Senator FORD. All right.

Governor Hayden.

STATEMENT OF GOV. JOHN MICHAEL HAYDEN, NOMINEE TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR FISH AND WILDLIFE AND PARKS

Governor HAYDEN. Thank you, Mr. Chairman, members of the committee. I appreciate this opportunity to testify on behalf of my nomination for Assistant Secretary of the Interior for Fish and Wildlife and Parks.

I am here before you today as someone from a farm family with a deep respect for the land and our natural resources. I was raised in western Kansas, west of the 100th meridian, in fact closer to Denver and to Cheyenne than to my own State Capitol. I grew up at my grandfather's side, fishing by the age of four and hunting by the age of 10.

This outdoor experience sparked my love and respect for the environment and drove my desire to major in environmental science. With degrees in biology and wildlife management and a hitch in the United States Army as an infantry company commander in Vietnam behind me, I entered politics 18 years ago, primary because of my continuing concern for the environment in which we live.

I served 14 years in the Kansas House of Representatives, four as Chairman of the Ways and Means Committee and an additional four as Speaker of the House. I remember as a young legislator being called by the then Speaker to inform me he was appointing me to the prestigious Ways and Means Committee. I told the Speaker I was flattered, but quietly admitted I really wanted a seat on the Energy and Natural Resources Committee because of my concern for the environment.

I believe my commitment to wise use and conservation of our natural resources has been evident throughout my public career. In 1975, I sponsored the bill that created the Natural and Scientific Areas Act in Kansas. I later sponsored the resolution creating the State program for environmental education in our public schools.

In 1975 and again in 1985, I was named Conservation Legislator of the Year, and in 1988 named Conservationist of the Year by the Kansas Wildlife Federation. In 1989 I received the President's Award from the Nature Conservancy for the establishment and funding of the Kansas Natural Heritage Inventory Program.

In 1987 I proudly signed into law the Kansas Duck Stamp program. I have long been active in Ducks Unlimited and many conservation organizations.

I believe balance and communication are very important at all levels. I am an advocate of multiple use policies whenever possible and practical. I aggressively sought funding for soil conservation and watershed projects and initiated funding for the multi-purpose small lakes program in Kansas.

One of the programs for which I am proudest is the establishment of permanent funding in our State of the State water plan. In fact, the plan has gained such support now that my successor's gubernatorial veto of the funding of one of these projects resulted in the first veto override in Kansas in 15 years by the State Legislature. Over the years the support for these projects has grown so dramatically that in that override vote the Senate vote was 36 to 0.

I look forward to working for President Bush, an avid outdoorsman with a deep commitment to the environment. I look forward to working for Secretary Lujan with his vast experience in Congress and in the Federal Government and in his sensitivity to the many challenges faced by the Department of the Interior.

Having served many years in the Legislature and as Governor, I am very familiar with the powers and duties of the legislative branch. I want to sincerely express my desire to work closely with the Congress. You can rest assured I intend to work closely with this committee and its members and am fully willing to testify whenever necessary. If I am confirmed, I will do whatever I can to communicate with each of you and your staff as well.

The challenges before the Department of the Interior are many and the Fish and Wildlife Service and the National Park Service are two of the most active agencies within the Department. The challenges in guiding the operations of these agencies are very great. If confirmed, I hope to bring to the job a balance and a willingness to communicate and cooperate.

I was taught at a young age that conservation means the wise use of our natural resources. My philosophy is best exemplified by the words of Teddy Roosevelt when he said: "There can be no greater issue than that of conservation in this country. Just as we must conserve our men and women and children, so we must conserve the resources of the land upon which they live."

I have always believed that each of us should strive to leave the woodpile stacked just a little higher than when we found it. I look forward to raising it just a little through continued public service in this capacity.

Thank you very much, Mr. Chairman.

Senator Ford. Thank you, Governor.

Congressman Roberts is here. Congressman, do you want to make a statement?

STATEMENT OF HON. PAT ROBERTS, U.S. REPRESENTATIVE FROM KANSAS

Mr. Roberts. Yes, if I might. I apologize to the chairman and to the committee for being late. It is not our practice in western Kansas, where we are both from, to be late. However, we do not have 295 in western Kansas. Wish we did.

I am going to simply ask that my statement——

Senator Craig. You do not wish you had 295 in western Kansas, Pat.

Senator Burns. What would you do with it?

[Laughter.]

Mr. Roberts. Now, Conrad, we could drive cattle down that highway. We would get to market a lot faster.

[Laughter.]

Senator CRAIG. Let us not have any ad libs here. Let us get down to the subject at hand.

Mr. ROBERTS. We can keep this up, Mr. Chairman, if you would like.

Senator FORD. I would prefer not.

Mr. ROBERTS. I would simply ask that my statement be made part of the record.

Senator FORD. Without objection, so ordered.

Mr. ROBERTS. We wrote this speech for Mike. He does not like to be in the self-aggrandizement society, and we stressed that he wanted to really itemize all of his positives, which are considerable.

He is a good friend. He is a fellow Kansan. He is a very close friend. But the most important thing is his qualifications. He is known as the environmental Governor of Kansas. He really put that to the forefront.

He has a long record of outstanding public service, both in the State legislature and as Governor. He will work with you. He is a Vietnam veteran. He is a leader. He knows when to work with you and when to lead, and I am sure he will do that.

He is a native of a small western Kansas community called Atwood, Kansas, America, and there is no finer folks on the face of the Earth. Out there we are the stewards of the soil. That is his background. That is what he believes in.

Last of all, he majored in this when he went to school and so he has got the academic background. You cannot find a better choice. He is second to none in terms of any choice you could make, and I give him my strongest possible personal support and I know he will make an excellent choice.

Senator FORD. Is he from your congressional district?

Mr. ROBERTS. Just happens to be, Mr. Chairman, just happens to be.

[Laughter.]

Mr. ROBERTS. If I had to face Senator Burns in a face-off, and Lord knows I do not want to do that, and we were on Front Street in Dodge City and Matt was not there, I would like to have Mike by my side.

Senator FORD. Thank you, Congressman.

Mr. ROBERTS. Thank you, Mr. Chairman.

[The prepared statement of Mr. Roberts follows:]

PREPARED STATEMENT OF HON. PAT ROBERTS, U.S. REPRESENTATIVE FROM KANSAS

Mr. Chairman, it is indeed an honor to introduce a good friend and fellow Kansan, Mike Hayden, as you consider his confirmation for appointment as Assistant Secretary of Interior for Fish and Wildlife and Parks.

He is well qualified indeed for this important position. As Governor of Kansas from 1987 to 1991, Mike's administration was marked by major conservation efforts. He elevated the departments overseeing parks and wildlife to cabinet status and streamlined their operations. Conservationists and sportsmen have high praise for his work.

Mike has a long record of outstanding public service. He served as a State Representative for 15 years and as Speaker of the Kansas House of Representatives for 4 years before being elected Governor in 1986.

He is a Vietnam veteran with service from 1967 to 1970. During 13 months as an infantry officer in Vietnam, he served as platoon leader and company commander. He was awarded the Soldier's Medal, two bronze stars and the Army Commendation Medal.

A native of the small Western Kansas community of Atwood, Mike has a strong sense of our country's natural resources and the stewardship needed to preserve and manage those resources for future generations.

With an undergraduate degree in wildlife conservation and a graduate degree in biology, Mike also has the formal education needed for this complex job.

Mr. Chairman, I am pleased to present Mike Hayden for your consideration.

Senator FORD. Mr. Schrote, we will listen to your statement now.

STATEMENT OF JOHN E. SCHROTE, NOMINEE TO BE ASSISTANT SECRETARY OF THE INTERIOR FOR POLICY, MANAGEMENT AND BUDGET

Mr. SCHROTE. Thank you, Mr. Chairman, for considering my nomination to be Assistant Secretary of the Interior for Policy, Management and Budget. I'm appreciative of the President's confidence and I must express my gratitude to Secretary Lujan, for his encouragement and support of my nomination.

The one central feature of public service is hard work. I know what hard work is. I've held a job since I was nine years old. When I was in high school, during the summer I would get up early in the morning to caddy at the local country club, and then I would mow lawns. At noon I would work my regular job as a lifeguard at the local swimming pool until 9 p.m. In college, I worked summers, catching as many shifts as possible in our local steel mill.

I'm old enough to remember the final days of the Great Depression and all of World War II. I recall how hard my father worked, not for luxuries, but just to keep a roof over our head and food on the table. During World War II, my mother worked at the National Cash Register Company, now NCR, assembling bomb sights and dad worked 12 to 16 hours a day in the mill on behalf of the war effort.

Not only have I worked hard, but I've always been associated with people who worked hard. Therefore, I come by this work ethic and these values, usually referred to as traditional midwestern values, naturally and proudly.

As you can see from my background, I've been involved in the political process at all levels, and I believe the political process is a critical factor contributing to our Nation's greatness.

For this reason, I'm proud of my political involvement and believe this experience will be valuable to me as I participate in policy formulation and implementation. Because I understand the political process I am, and will remain, sensitive and responsive to Congress and the legislative process.

I've been very fortunate to be able to succeed in the political environment and have devoted the major part of my life to public service. I am lucky to have my vocation be my avocation. My career has been a team effort. My family has been an important part of that team, and I want to thank them for making it possible for me to serve my country.

Because of the diversity of my background, I am not an expert in any single subject. I am a generalist. My successes are based on an ability to identify and rely on people with particular and sometimes unique abilities and skills. I consider this trait a strength.

I have a great appreciation for our natural resources. I believe those resources were placed on this earth by God for man. We are stewards. It is our job to manage those resources for the use and enjoyment of all generations, present and future.

The challenge before us today is to appropriately preserve and conserve resources in a manner which provides for the future and at the same time contributes to the quality of life of every American. As Secretary Lujan has said: "My goal is to leave the land and the agencies in better shape than they were at the time I accepted office." I am proud and eager to be a part of the effort to meet that challenge.

Consistent with my traditional values is a contempt for waste of any kind, whether the waste of our natural resources or of the hard-earned dollars of the taxpayers. I'm committed to the priorities of balancing the budget and reducing our Nation's debt.

I am also strongly supportive of the budget agreement between the Executive and Legislative Branches. Because of my positions within the Executive Branch, particularly at the Departments of Agriculture and Interior, I believe I have the experience to fulfill my commitments to myself, to the Department, and to the Congress.

I might also add that my graduate training in a Jesuit institution instilled in me an appreciation of the need for critical analysis of management proposals and activities and provided me with good analytical skills. The experience on Capitol Hill certainly enhanced those skills.

Among my strongest beliefs is that people are our greatest natural resource. One of the most frightening things I can imagine is the young person who wakes up one day to find that his or her dream cannot be realized because he or she is the wrong color, the wrong sex, or is disabled.

Even as adults, we all dream for a better America, a better life for our children, or a better life for ourselves. We all know the chance of winning the lottery has nothing to do with race, sex, physical or mental conditions. We can all dream of hitting the jackpot.

On the other hand, we know the dreams which are not far-fetched—becoming a fireman or the President of the United States—are too often stifled because of discrimination.

I cannot eliminate all discrimination. But if confirmed as Assistant Secretary for Policy, Management and Budget, and as the official responsible for human resources in the Department of the Interior, I will enthusiastically support Secretary Lujan's and the President's commitment to foster a culture of fairness.

As the President has said, we will work to provide "the opportunity for a better life—that means the freedom to choose and the skills to grow." I will work diligently, enthusiastically, and effectively to stamp out any traces of bigotry and to remove institutional or cultural barriers.

Hard work, political sensitivity, love and respect for the land, commitment to human resources and equal opportunity are all necessary ingredients for the Assistant Secretary for Policy, Management and Budget. I think I have a pretty good record that demonstrates success, personal growth and reliability.

My President and my Secretary believe I can handle these new responsibilities. So do I. I hope I have given you a good idea of my values and philosophy. I'm here today to ask for your confidence and your consent.

Thank you very much and I'll be happy to answer any questions you may have of me.

Senator **Ford**. Thank you very much, Mr. Schrote.

We will have some questions from other members of the committee who are not present today. They will be submitted to you in writing and I hope that, as we talked yesterday, that you would expedite those and we can have them here by the first of the week so we can proceed.

Governor, I only have one question. Apparently—and you understand what I am about to ask you, though. The committee has received quite a few letters complaining that as Governor you reduced the Kansas State park budget by at least 50 percent.

Would you care to comment, because those letters will be in the record and I think you should have your own statement.

Governor **Hayden**. Thank you, Mr. Chairman. I'd be glad to comment on that.

Let me say first off that, as all Members of Congress know, change has its enemies. And certainly when I became Governor I reorganized our whole natural resource agency format. In fact, it is something that three of my predecessors as governor, both Republicans and Democrats, had attempted to do, and none were able to do it because of the Legislature.

I was able to in fact bring together our natural resource agencies and create the Kansas Department of Wildlife and Parks, was able to attract professionals from outside the State to come in and run that agency in a new manner and a more efficient manner and, perhaps most importantly, with new management perspectives.

They did that. It is highly recognized that it was very successful. And for those who might be concerned that the parks might have suffered during that reorganization, the truth is the gentleman I brought in to run the whole show was the director of parks in the State of Idaho and comes from an extensive park background.

I'm very proud of the job that they did. In fact, the parks and the natural resource management in Kansas is in much better hands, in much better shape, and has a much better total budget today than it had before I was Governor.

Senator **Ford**. Thank you, Governor.

Mr. Schrote, one question for you. The Chief Financial Officer Act of 1990, which I am sure you are familiar with, requires, among other things, a significant increase in financial statements and audits by the agencies affected. The Interior Department's Inspector General has stated that implementation of this act "will require a great increase in our audit resources to effectively meet the ambitious goals of the law."

In your opinion, will the Department be seeking additional appropriations to implement that act?

Mr. **Schrote**. Yes, sir, we have asked for some additional funds in our budget for implementation of the act.

Senator **Ford**. Do you think it will be difficult to comply with or with the request for additional funds you can comply with it fairly reasonably?

Mr. SCHROTE. Well, I think with the implementation at the Department of the Interior, we are pretty nicely organized already to be able to implement the act. A major part of the expense of the act does come in the auditing portion of it, which really falls onto the Inspector General.

We are asking for some additional funds and some additional FTE's, not merely because of the CFO Act itself, but because of all management improvements that we're trying to bring about in the Department, which would include the CFO Act, and other quality types of improvements.

We're also anticipating very challenging times in the out years, the 1993 budget and beyond, that will probably require some extra efforts regarding the management of personnel and resources, too. So we have really approached it as we indicate in the Office of the Secretary—we have indicated some increases in there.

Part of those increases are really in the overall general scheme of real management improvement and so on, which does include, by the way, the implementation of CFO if we are funded for that.

Senator FORD. Thank you very much, Mr. Schrote.

Senator Craig.

Senator CRAIG. Thank you very much, Mr. Chairman.

Gentlemen, we appreciate an opportunity to have you before the committee. I think as our chairman said, we will be working very closely with you and find those relationships extremely valuable as we wrestle with some of the problems that we do and are part of the authority of this committee.

Governor, several questions of you, because I suspect that your position is one that is going to have a lot of interest cast in its direction over a period of time, as it always has for that matter. And certainly it is an area that has impact on my State of Idaho, and so we are very concerned about management and the philosophies of management as well as the styles and the techniques.

What percent of Kansas is Federally owned public land?

Governor HAYDEN. Senator Craig, it's just exactly the opposite of your State. In fact, Kansas has the smallest percent of total public land of any State in the Nation, less than 3 percent. And that includes all the forms of government—local, State, and Federal.

So the Federal lands in Kansas are less than 1 percent.

Senator CRAIG. Well, that is the reason I ask that question. Sometimes folks who are born and raised and work in and administer States that have little public land in them, especially a State like Kansas, which has the smallest amount in the Nation, oftentimes find it very difficult to understand the kind of integral relationships that citizens of Idaho have oftentimes with their State and their Federal land resources. In our State it is 64 percent, substantially different.

So that becomes a concern when we have to make a living for ourselves out there, and Federal policy or the administration of Federal policy has substantial impact upon the economies.

So when somebody says they are a preservationist to me, I begin to worry a little bit, because I think most Idahoans view themselves as conservationists, and of course there are many who view themselves as preservationists. But I have always found that conservation tends to serve us better economically for all things involved, including the environment in many instances, as does preservation.

So the question is, what happens in an instance where 1992 comes along and, although you will not be directly responsible, we're certainly going to be looking around and asking a lot of questions as we reauthorize the Endangered Species Act, where we get a situation like we have had out West and we may well have one in the region of Idaho and Oregon and Washington, where an act and the absolute adherence to an act might mean the dislocation of 30,000 people for the saving of a single species, or at least the questionable saving of, when it is not even known or the process does not allow the kind of biology to determine whether it could be relocated?

Where does a person like you come down on an issue like that? Where have you come down historically on those kinds of issues?

Governor HAYDEN. Senator Craig, of course the Endangered Species Act when it was passed by Congress was in fact and continues to be today very specific. So when it comes to the actual listing of the species as rare, endangered, or threatened, the Congress has provided very little or no latitude, and in fact those decisions have to be made according to the law. And the law says it shall be virtually on a scientific basis.

Now, where we go from there then to the implementation of the management plan or the recovery plan, if you will, is the stage where we can work closely together. It is the stage where economic considerations can be taken into account. It is the stage where Congress provided some flexibility and latitude.

So I anticipate that we will be working closely with you and many, many Governors, many, many Senators and Congressmen from the western States and, as we see this impact other States, in the East as well, because there is a long list of species currently under petition for consideration.

So I will be watching closely and working with the members of this committee on any of the management plans and be watching closely as well to see what Congress might do next year in the reauthorization.

Senator CRAIG. Governor, what happens if your director of the Park Service—you are going to be responsible at least for overseeing Park Service management and the director and all the activities—if you find yourself in a situation where management policy and the book says one thing, but the philosophy that has permeated the management is doing something different?

I refer back to a time when the book said we would have selective burns and we would manage fuel buildups and that was the standard procedure of the day, acceptable in the practice of forestry and with the Park Service inside Yellowstone Park, but the philosophy was driving us toward a preservationist, purist attitude that says: No, leave it alone; Mother Nature is best if left alone; the park is a preserve, not a managed area.

And along comes a massive fuel buildup over a period of time and the climate is right, and a few years ago we nearly lost Yellowstone. Some say it was, ah, but a beautiful happening of Mother Nature. I said it was a devastating wipeout, a product of mismanagement.

So we found in fact that it was a philosophy that was driving a policy and not adhering to what was on the books a policy of selective burn and uneven growth for age and health of species of trees and all of that, and you know the rest of the story.

That is part of something that concerns me a great deal, the difference between the philosophy of the internal management of an agency versus what we in Congress say ought to be or is the way it is done vis a vis law and regulation.

What happens at that point to a Secretary Hayden when he is caught and looking at that kind of a situation?

Governor HAYDEN. Well, I think probably every Secretary of the Interior, every Assistant Secretary for Fish and Wildlife and Parks, has faced that dilemma since the first park, because essentially under the act itself creating even the very first parks we set up that inevitable tension between the conservationist, the preservationist, if you will, that tension between multiple use and public use and preservation.

Let me only say that I am a person, I am a trained biologist——

Senator CRAIG. That is why I specifically asked you that question.

Governor HAYDEN [continuing]. Who believes in, first off, good scientific information, data, and research as the basis for management decisions.

I am someone from a State where fire, for example, is used very commonly as a management tool both on public and private lands, and has been recognized virtually for generations as a valuable management tool.

Senator CRAIG. Especially in grass.

Governor HAYDEN. That is correct.

Senator CRAIG. But in trees sometimes it can sterilize the land for a generation.

Governor HAYDEN. Each ecosystem is different, Senator. And in fact, even within the grasses we find we use fire on our tall grasses on a regular basis. If we burn buffalo grass out in my country, you suffer eight, ten years before it comes back into full production.

That is why I say we must go back to the biological bases, we must go back to the research and the data, use sound management and resource techniques based on scientific information.

So I tend when there is a conflict to rely on known scientific information and data as the bases for management, not on philosophy.

Senator CRAIG. Thank you. I accept that.

Thank you, Mr. Chairman.

Senator FORD. Could I ask the Senator a question?

Senator CRAIG. Sure.

Senator FORD. How did you get your fish over into Montana?

Senator CRAIG. How did I get my fish?

Senator FORD. Yes. Was there not a fish that was displayed for Montana that showed that it came from Idaho?

Senator CRAIG. We have a very extensive public relations department in the State of Idaho.

[Laughter.]

Senator CRAIG. When we seek opportunity, we move rapidly, Mr. Chairman. Good point.

Senator **Ford**. And now here comes the real Burns.

[Laughter.]

Senator **Ford**. Senator Burns.

Senator **Burns**. By the way, Senator, the fire in Yellowstone started in Idaho. Are you going to do something about that?

Senator **Craig**. So?

Senator **Burns**. Well, you should have put it out.

Senator **Craig**. Well, I tried, but they would not.

[Laughter.]

STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR FROM MONTANA

Senator **Burns**. Thank you both for coming this morning, and I want to congratulate you for accepting the challenge that the President has invited you to take, because it is a true challenge.

I, along with Senator Craig and most of us who come from those States who have a high concentration of Federal lands, think that at times the Federal Government is not a very good neighbor. And I think, Governor, you probably understand the situation. It is tough to live in a neighborhood where only half the neighbors keep up their end of the fence, and we run into neighborhood conflicts.

I have a couple of specific questions and with the reauthorization of the Endangered Species Act coming up, we are running into a problem now of water. The population in this country, this society, has grown to the point where pressures on our natural resources are going to increase, and it is a natural thing because there are just more people.

Last Thursday, a week ago today, I was in California. They have terrible, terrible problems down there because they have got too many people. We could say that Yellowstone Park has too many buffalo; they cannot feed them all, so they are going to come out of there. They are going to go where the grain is.

I made speeches 20, 25 years ago as a farm broadcaster saying that in the future Montana's greatest resource will be her water, fresh water.

Now, we understand what it is to divert during high runoff times, such as now when all of our streams are full, to put that into a reservoir. And it makes good sense because, number one, it creates a wetland that we need. It is important to the ecosystem and I would agree with that wholeheartedly.

It creates a water recreation. It also ensures in-stream flows of the river that you do not want to dam that river. You would die before you would ever see the Yellowstone River ever dammed. It provides in permanence or perpetuity the wild characteristics of that river that we want to hang onto.

Yet, whenever we find a place to build a reservoir to store that water off-stream and to release during low run times to preserve that river, the in-stream flow, we come up with this Endangered Species Act that prevents us from doing it, when actually it just makes good sense, good conservation sense.

You and I know this is not the first time we have ever heard of conservation. I expect when you went to high school out in western Kansas that you were a member of FFA. I would venture to say that. We knew about conservation a long time ago, and now all at once we have these born-agains who want to come and save us, and it is a wonder we ever got as far as we did without them. I do not understand that.

We have a situation now with the grizzly bear. Let us just talk about the grizzly bear, and he is on the Endangered Species Act. We have been told in Montana for the last 2 or 3, 4 or 5 years that the recovery is complete and we have enough numbers to down-list that animal. And we are told by the wildlife people that, yes, we are working on that, but nothing happens.

Now, if we have got a law that works one way, then it ought to work the other way, too.

We are also in a situation now where—and I will ask you very specifically—recently a wolf committee sent a plan to Congress for the re-introduction of the wolf into Yellowstone Park. And I would ask, do you think this is a reasonable plan or do you see any major complications in implementing it? And you can respond to that this morning or provide a written explanation.

But these are things that are on our mind whenever we are 38 percent Federal land, not as high as Senator Craig's State. But nonetheless we have got a situation with the buffalo when they come out of the park for their food and they are going to go where their food goes or where it is.

And that buffalo is kind of like that 800 pound gorilla. He kind of goes wherever he wants to go, you know, and sleeps wherever he wants to sleep.

We have got a situation with a brucellosis-free State, and these buffalo are not vaccinated, they are not tested. And if we have one outbreak of brucellosis in the State of Montana, we lose our free status. And I think you understand the implications of that even in Kansas.

So I would just ask you to comment on those kinds of situations and what kind of philosophy do you take into that kind of a situation?

Governor HAYDEN. Let me say, Senator, first, I have worked with brucellosis for years in Kansas, of course, and our program there, as you have in your State, to make sure that your State is brucellosis-free, and it is important to the consuming public, it's important to the livestock industry, that we ensure that that dreaded disease is eradicated and stays eliminated within our herds.

So I know firsthand of what you speak in that regard and I understand the concern.

As it relates specifically to the reintroduction of the wolf, I have discussed with the Director of the Fish and Wildlife Service, John Turner—who of course is a rancher himself; he comes from Wyoming; he has a great, extensive background in that area—his efforts to try to reach some reasonable compromise between those who think the wolf ought to be reintroduced at any cost and our livestock producers in and around our national parks who may some day face the predation problem from the wolf if they repopulate and then move on to adjacent lands.

It would appear to me that the Director has tried to find a reasonable middle ground. He's tried to understand the needs of the livestock producers. He's also trying to understand the needs to reintroduce the species, this endangered species, which once inhabited even Kansas in fact in large numbers and was exterminated except in the Canadian Rockies at one time and is now back, as you know, into your State, even in some cases incidentally from across the Canadian border, and has now been introduced into Minnesota.

So it would seem to me that the Director has tried to hear both sides, and my philosophy, Senator, generally is one of non-extremism. Seldom are either end of the extremes really the course we ought to take, but that we ought to try to find an accommodation if we can that, one, meets the requirements of the law, because we all as public officials must follow the laws which the Congress has passed, and I intend to do that.

But we also must accommodate those who have difficulty with the law, and I think the Director of the Fish and Wildlife Service has tried to do that in his plan as it relates to reintroduction of the grey wolf.

Senator BURNS. I thought maybe we might send some to Kentucky. You do not have any problems in Kentucky.

I had one other question and then we will get on.

Senator FORD. We have two now in Kentucky.

Senator BURNS. Really?

Senator FORD. Yes, we have two too many.

[Laughter.]

Senator FORD. In the land between the lakes.

Senator BURNS. Oh, Lord, you have got big problems. Anyway, I was going to say I was not going to touch that line until you explained it.

Mr. Schrote, I——

Senator FORD. I am glad I can explain something you understand.

Senator BURNS. You get to me a lot. I mean, you talk in a vernacular I can understand. We have got some around here that sort of get a little above me, but you are pretty plain—not common, plain.

But I was interested in your statement that it is bad in a country when all at once a person wakes up one morning and they are denied some opportunities because of race, sex, et cetera, and that door of opportunity is narrowed for those people.

But how do you equate that with people who are born and raised in a locale, in a general area, where all at once the actions of the Government have taken away all of their opportunities to feed their families and make a living and be a part of the American dream?

We are seeing this more and more. I call it sometimes bureaucratic tyranny, to be right honest with you. We have got some agencies in this Government out there that are just absolutely Gestapo-type operations, and we are hearing more of it every day.

And that concerns me a lot, because it was not because the person is of a minority or anything like that. He just happened to be born in Wallace, Idaho, or Troy, Montana, and all at once he wakes up one morning and there is no opportunity because the Government says: Nope. Or society has forced Government into a situation that says: We do not want those people to make a living there any more.

I want to know how you equate that and to bring a philosophy into Government of live and let live, because that concerns me a lot.

Mr. SCHROTE. I share some of those concerns, Senator. Actually, in my particular statement I was reflecting upon the management of human resources within the Department and you're expanding "Big Brother" government into our daily lives and the impact that it may have.

I could say there that as far as this President, this administration, Secretary Lujan, myself—I think most of the people that are around him, certainly my colleague here, Mr. Hayden—I think that we're all conscious of any policy and the impact that it has on individuals and on individuals' lives and that type of thing.

There are many times when we're caught in a situation of laws passed by Congress and in our administration of those laws of trying to be able to administer them in a fair fashion, to be able to take into account the economics and the livelihood of individuals, I will admit that. And that is one of the challenges, I think, of being in the Executive Branch.

And from time to time, you know, I believe that we will probably have to come to Congress and ask for help and ask for assistance when we see these kinds of injustices happen. You know, we have seen the issue of the spotted owl. We'll see the other issues, I think, other particular species that will have some kinds of impacts.

It is a very sobering and a very difficult job to establish values of which is more important, and I think that in those cases we will have to come to the Congress to help us to determine those kinds of values and those kinds of problems.

Senator BURNS. I just hope we can get a Government that is for people, that is for people.

Mr. SCHROTE. I can assure you, we do have—we're very conscious of people in this administration. The President, the Secretary, both have discussed it in bringing balance into these things, to consider the economics as soon as we can in these difficult problems.

Senator BURNS. Thank you very much.

Thank you, Mr. Chairman. Again, I want to congratulate these gentlemen for taking the challenge. It is a tremendous challenge. And we would like to work with you and for you, and you have my highest recommendation. So thank you for coming.

Mr. SCHROTE. Thank you, Senator.

Senator FORD. Thank you, Senator Burns.

I think what Senator Burns was saying, Congress passes laws and there is an intent behind that. It is awful hard to write that intent into law when the Departments legislate then by regulation.

We attempted years ago to, several years ago, to find a way to veto regulations and we were knocked down. And we get back to the proposition where you can have an overwhelming majority in the Congress, but if you do not have the White House they veto it.

So under the circumstances, to eliminate a regulation you have a joint resolution. The House passes it, the Senate passes it, the President has to sign it. Well, if his Departments are doing certain things you know he is not going to sign it.

So we find ourselves in a position where the reaction in your area needs to be corrected. And even though we have public hearings and all that and we write laws here, I can show you time after time in the last 24 months where Secretaries have absolutely ignored the law and done what they wanted to do, and they say: Well, we want to do it this way.

Well, how are you going to stop it when we have no ability other than to change the law? And you know how long that takes up here to do. There ought to be—you can cooperate. The fellow said we do not want a dictatorship. Sometimes a benevolent dictator is maybe better than a hard-nosed Secretary.

Senator BURNS. Well, I think even you folks in Kentucky—thank you, Mr. Chairman, but we are experiencing some bureaucratic tyranny, to be right honest with you.

Senator FORD. Well, we find, and I talked with Governor Hayden, that where you have several agencies, particularly in the environmental area, the conservation area and so forth, that three agencies sign off and we never hear from Fish and Wildlife. They just refuse to give us an answer.

If we could get an early answer, we know it is going to be no, just get the no and let us go to court and try to work it out.

Wetlands. A fellow said, well, if a puddle of water stands for more than two days it is declared wetlands, and so we have some trouble. So this legislation by regulation disturbs me and somewhere along the way—the Governor understands this probably better than you do. You have been here in Washington all your life, 22 years. But he has been down there knocking at the local level, and I understand what a governor has to do.

It takes the hide off every once in a while politically. But one thing about it, it grows back tougher, and after you have been in the governor's office you are one tough son of a gun, are you not?

Senator BURNS. Thank you, Mr. Chairman.

Senator FORD. Thank you, Senator.

I wanted to make the announcement—oh, excuse me, Senator Fowler. You came in quietly. That is unusual.

Senator FOWLER. It is uncharacteristic of me. I left the trumpets outside.

Senator FORD. Well, we are now——

Senator FOWLER. Now you know you are in trouble.

Senator FORD. Would you like to take over the committee? Senator Fowler.

Senator FOWLER. I have just a couple of questions.

Senator FORD. Good.

Senator FOWLER. Mr. Schrote, I apologize to you and the Governor and the committee for my being late and not hearing your earlier testimony. If you have been asked about this, stop me quickly, though I doubt you have.

It was brought to my attention by some career employees in the Department of the Interior about the case of Sandra McCrary, of which I am sure you are familiar. My understanding from the public record, which I reviewed last night, the investigator's report, is that this is a black female U.S. Army veteran from Vietnam who filed an EEOC suit against the Interior Department alleging discrimination due to race, but basically involving the promotion of a

Hispanic female with alleged strong political connections, in violation of the Department's merit system.

I also understand that you had nothing to do with this case anywhere down the line, I assume. But I think it is important from the strong investigator's report that seemed to substantiate the facts that the merit system was bypassed in the interest of a political appointee in fact and then subsequently that the board making that decision have now all of a sudden entered the Senior Executive Service, the three individuals responsible for that promotion, also with strong political ties and very little substantive background.

I would like you to tell me, if nominated, how you intend to—how that case is now being handled, to the extent that you can, and how you view the question of the integrity of the merit system and if changes need to be, based on your experience now and observations, how you propose to ensure that the merit system works on merit and politics remains outside the civil service to the greatest extent that we can ensure it.

Mr. SCHROTE. Well, I will try to address the specific case. I do not know if it's your constituent, but I do know that your office has an interest in that particular case.

Senator FOWLER. In the United States Senate all Americans are our constituents, Mr. Schrote. We are the national legislature. We represent all the people of the United States of America.

Mr. SCHROTE. Well, we think that the President does, too, and we're part of the executive branch and we also do.

Actually, though, in this particular case—well, in any cases similar to this, I assume, I make the assumption, that somewhere along the line they may reach me. I try to position myself in these cases where I will be able to look at them dispassionately, objectively, at the time they get to me.

I try not to interfere or intervene. One of the reasons, by the way, Senator, is that I do open myself to being charged with political interference if I jump into the process.

In this particular case, there are negotiations between her lawyers and lawyers within the Department. I personally feel that at the moment I can't anticipate the outcome of that. I don't know whether they will resolve this. And it is, by the way, part of the processes—that as a matter of fact we are encouraged under the Resolutions Dispute Act to try to resolve these kinds of differences at as low a level as possible within the Department. As nearly as I can determine, that is happening.

The other thing, that if it doesn't and it does reach me, then I'll just have to use my best judgment at that time. There are still other rights available even beyond that decision, as to whether to proceed into the EEOC or into the courts, if they are not satisfied with the decision that maybe I have to make at that time.

Senator FOWLER. I understand that and I said that in my question. I am not asking you to predetermine the case or give a judgment on the facts.

What I did ask you is what are your plans to prevent that kind of thing from happening? Let me just expand on that. I understand you can tell me if it is true Mr. Gallegos, who left the Department, for what reasons we will not discuss, I understand that he is now a consultant to the Department of the Interior.

I also understand, but I would like you to correct me if I am wrong, that he has a contract with the Department to establish a deputy assistant's position for human resources, which essentially would combine the function of the EEO, the equal employment opportunity office, with personnel, which would of course further downgrade the role of EEO.

Is that true? Does he have that contract? Is that his mission, and what do you think about that?

Mr. SCHROTE. We asked him to devote some time towards the reorganization of human resources in the Department of the Interior. That has been completed. He has made some recommendations which we are considering.

However, we have proposed in our budget, in our 1992 budget—and as a matter of fact, we have a request for reprogramming that we are waiting on a response from the Senate now—to establish a Deputy Assistant Secretary for Human Resources.

What we propose to do is that we have had the personnel over here, who follow their own channel, and then you have the EEO off on the one side, which has their own channel, and the two haven't really had an opportunity to focus and bring together a human resources strategy. And that is also in my opinion a qualitative problem and question we need to address, as well as a numbers game that some people want.

But I do not perceive that we are reducing the level of EEO. I believe that what we're doing is bringing the focus of EEO and personnel to a common point, to a common person, which in this particular case for the Department would be the Deputy Assistant Secretary for Human Resources, who would report to me.

By the way, in that report would give me—or in that request in our budget would give me some strengthening of authorities to be able to work in a situation where each of the bureaus presently has their own personnel and their own EEO, to try to bring some kind of direction to the Department.

Senator FOWLER. Do you see any conflict, any public conflict, in having a former Assistant Secretary leave and immediately have a private contract with the agency he just left?

Mr. SCHROTE. No, sir, I don't. We checked it out. We did make sure that there was not an ethical problem before we requested him to take on this.

Senator FOWLER. You mean you checked it out in the law technically.

Mr. SCHROTE. I checked it out with our ethics——

Senator FOWLER. But you see no ethical problem, regardless of what the law says?

Mr. SCHROTE. No, I don't. As a matter of fact, I feel that I would like to have as much latitude as possible to draw on knowledge from wherever I can to assist me in carrying out my job. In that particular case, the experience and knowledge he had plus the available time that he had, I decided that it would be a good idea to take advantage of the circumstance.

He has had a lot of experience. He's worked here in the U.S. Senate——

Senator **Fowler**. One final question. Mr. Chairman and the committee, I thank you.

Mr. Schrote, I want you to go back one more time now. Without opening any facts of any pending case, I want you to tell me your thoughts on how you ensure that the Senior Executive Service—I remember when we established the Senior Executive Service in 1977 and 1978, whenever it was, I was in the House of Representatives.

It is a reward for merit, for the finest public employees. It is supposed to be insulated and isolated from political appointees. We have a schedule C and we have a place for political rewards in the Federal Government. But we are trying to ensure that the people, the men and women who work under and for the taxpayers of the United States under a merit system, work for all the people of the United States of America, regardless of their political persuasion.

I want to know what you plan to do in your leadership role to ensure that, since it is obvious that there are some flames and there is some smoke within the Department that would cause the dispassionate observer who read investigative reports to conclude that there needs to be some work done. What assurance can you give me that you will do that?

Mr. **Schrote**. I think I can give you some assurance, in that my record certainly with the Department of Agriculture when I was Acting Assistant Secretary for Administration. I believe that the career employees held me with high regard. I think they would assure you that I treated them fairly, that I enhanced their stature within the Department.

I would like to comment, though, a little bit on what you mentioned about SES. SES employees by definition, as I recall the act—and I was working as a staffer on the House side when that passed, when you were a Congressman, too. I recall part of that. And I think that the SES corps is and should be an elite corps. I think that that was prescribed by law.

But also with that was that the SES by definition was to carry out administration policy just as much as it would have been if it was non-career.

I do take somewhat exception to the implication that non-career employees are strictly patronage, of questionable qualifications. They also come under the Civil Service Act. They also have to be at least somewhat qualified for the jobs which they go into. There's usually some description and certainly some expectation of qualifications for those jobs as they move into them.

So I don't think that it's fair to exactly say that these are all political rewards. I mean, certainly Mr. Strauss going to Russia was not a political reward.

Senator **Ford**. He was the only one they could find to do the job.

Senator **Fowler**. Well, Mr. Schrote, I am not very reassured by your answer, I must say in all candor. I appreciate your trying to set up straw man, but I do not accept it. I did not say all employees who do not come through the merit system are not qualified. I did not say that all people who are brought in from the outside have gotten in because of politics. I did not even allude to that.

I could have set up a nice rhetorical straw man myself. I did not do that.

I will put into the record, Mr. Chairman, the investigator's report in the case of Sandra McCrary, the legal analysis.

Senator **Ford**. Without objection.

Senator **Fowler**. And I would be happy to have Mr. Schrote respond to that in writing privately as to the investigator's report in this case as to the qualifications of the person who was appointed as opposed to the qualifications of Ms. McCrary. And I think the record will speak for itself.

What I want to do is find a way to prevent this kind of thing from happening. If all of a sudden somebody in the administration has decided that the Interior Department is an easy place to put political appointees of dubious qualifications, then it is the business of this committee and the Congress to know about that and try to put a stop to it.

I would like to think that, since you have been there, even though you had nothing to do with this case, I assume, specifically, that you would be appalled by the fact that some of these charges are continuing and work to tighten the system and tell me how you are going to do it.

But if you are just going to defend, the administration has a right to put the people they want to in, we are not going to get very far, and I regret that very much.

Senator **Ford**. May I say to my very good friend that before the investigative report is included in the record we will ask the committee counsel to look at it because of some privacy problems that might be involved.

[Committee Note.—The investigative report is not included in the record.]

Senator **Fowler**. I will be glad to do that. But I know that, this is all public record. This was issued by the Office of the Secretary.

Mr. **Schrote**. I have difficulties in responding immediately because I do feel that it causes—I have tried to stay at arm's length while they are negotiating. The lawyers are presently negotiating on these things.

The implication and the commitment that we have in responding by Monday would require me to read that statement and interject myself at this particular point, and it does sacrifice some of my integrity.

Senator **Fowler**. Well, we certainly do not want to do that.

Senator **Ford**. Do you have anything else?

Senator **Fowler**. I think I will leave it at that. We will put the 171 forms into the record also, in case the Secretary would like to review those, because these are also all public record. It might help him.

[The information referred to follows:]

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

July 11, 1991

OFFICIAL COMMITTEE FILE
PLEASE RETURN

Honorable J. Bennett Johnston
Chairman, Committee on Energy and
Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Enclosed is a revised copy of the Department of the Interior's legal analysis on the confidentiality of certain personnel documents to be entered in the hearing record on the confirmation of John Schrote. We respectfully request that this analysis be substituted in the record for the analysis previously provided to the Committee.

The revisions are to the narrative surrounding the legal analysis and in no way alter the Department's position that these materials should not be publicly released.

Thank you for your attention to this request.

Sincerely,

James M. Hughes

James M. Hughes
Assistant to the Secretary and
Director of Congressional and
Legislative Affairs

cc:
Senator Malcolm Wallop
Senator Wyche Fowler, Jr.

United States Department of the Interior

OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20240

JUL 10 1991

Honorable J. Bennett Johnston
Chairman, Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510-1802

Re: John Schrote Confirmation Hearing on June 6, 1991

Dear Mr. Chairman:

On June 6, 1991, John Schrote appeared before your Committee in connection with his confirmation for the position of Assistant Secretary - Policy, Management and Budget, of this Department. Also present at the hearing was Senator Wyche Fowler, who asked Mr. Schrote a number of questions concerning EEO matters pending before the Department. Our Office had recommended that he not become involved in any case before his confirmation as Assistant Secretary because as the Assistant Secretary he may be involved in the resolution of a complaint. We believe that any earlier involvement by him would be premature and could compromise his objectivity.

In the discussion on one complaint, Senator Fowler indicated his intent that he would place certain documents regarding Ms. Sandra McCrary's complaint in the hearing record as he considers this case to be "a matter of public record." In Mr. Schrote's written responses to questions from your Committee he stated his concern in making the documents from the Sandra McCrary case a matter of public record and further advised that the Solicitor's Office would provide an analysis pertaining to legal issues in disclosing these documents. This constitutes that analysis.

The documents in question are: (1) a draft proposed disposition of Ms. McCrary's EEO complaint prepared by a contract investigator and (2) the employment applications (Form 171's) submitted by Ms. McCrary and Ms. Shirley Martinez, the selectee for the position being contested by Ms. McCrary. In addition to providing our views on the propriety of publicly disclosing these documents, we are also providing our views on the propriety of publicly disclosing other documents in the investigative file.

1. The draft proposed disposition of Ms. McCrary's EEO complaint should not be made publicly available.

An agency's proposed disposition is a document prepared by the EEO Officer to indicate the agency's assessment of the merits of an EEO complaint based on the evidence developed during the course of the investigation. In this instance, an Alternate EEO

Officer was appointed because the usual EEO Officer was also the subject of charges by the complainant. The EEO Officer can prepare the proposed disposition as an in-house document or, as is the case with Ms. McCrary, the EEO Officer contracted out for the preparation of a proposed disposition. In either event, the proposed disposition is an internal working document of the agency until it is issued as a decision document by the agency.

Where a draft proposed disposition is prepared under contract, the document is not a part of the investigative file and is not made available to a complainant until it is issued as a final agency document. Before such final issuance, the EEO Officer may continue to revise it in part, or the draft may be discarded and an entirely new document may be prepared by the EEO Officer. In this case, the Alternate EEO officer in his discretion made a copy of the draft proposed disposition available to both management and the complainant for review and comment to assure due process for each party. Both management and the complainant provided comments to the Alternate EEO official. After reviewing the comments from both parties, the Alternate EEO Officer has determined that additional investigation is necessary to clarify matters in the initial investigation. To assist the Committee we have attached a summary of the status of Ms. McCrary's EEO complaints, along with a synopsis and a flow chart of the EEO complaints processing procedures for this Department. (Attachment 1)

We believe the draft proposed disposition is the type of document that should be held confidential until it is issued as a final agency document. The confidentiality of this document is fully recognized by the Freedom of Information Act, 5 U.S.C. § 552(b) (5), which would protect the document from disclosure pursuant to a FOIA request. FOIA exemption (5) allows an agency to withhold from public disclosure "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. § 552(b) (5). The exemption applies to memoranda that would not be disclosed routinely through the discovery process to private parties in litigation with the agency. NLRB v. Sears, Roebuck & Co., 421 U.S. 132 (1975). The exemption incorporates several of the Government's common law privileges from discovery in litigation, including the privilege for deliberative material.

The privilege for deliberative material applies to agency documents that reflect advisory opinions, recommendations and deliberations that are part of an internal decisionmaking process. NLRB v. Sears, Roebuck & Co., supra; EPA v. Mink, 410 U.S. 73 (1973). To be protected, a document must be predecisional or generated before the adoption of an agency policy, and must reflect the give-and-take of the consultative process. Generally, recommendations, drafts, proposals, suggestions and other subjective documents reflecting the personal opinions of the authors rather than agency policy are protected. Coastal States Gas Corp. v. Department of Energy, 617 F.2d 854 (D.C. Cir. 1980); Vaughn v. Rosen, 523 F.2d 1136 (D.C. Cir. 1975).

A draft document, such as a draft proposed disposition, is generally considered to be a deliberative document because a draft is essentially a recommendation from the author as to the content of the final document that the agency should issue, and is only one increment in the internal process of developing the final document. The decision to be made or actually taken by the agency is the final document itself. Because disclosure of a draft document would lead agency employees to be less candid in preparing drafts in the future, could confuse the public as to the official position of the agency, and would violate the integrity of the decisionmaking process, a draft document may be withheld from public disclosure on the basis of exemption (5). Russell v. Department of the Air Force, 682 F.2d 1045 (D.C. Cir. 1982). The fact that the proposed disposition was prepared by a contract investigator does not compromise the agency's ability to withhold it under exemption (5). Ryan v. Department of Justice, 617 F.2d 781, 790 (D.C. Cir. 1980).

In view of the present status of Ms. McCrary's EEO complaint, we believe it would be inappropriate to publicly disclose the draft proposed disposition. It is clear that the investigative aspects of Ms. McCrary's EEO complaint is continuing and that this may have an impact on the findings and conclusions in the draft report. We believe disclosure of the draft at this juncture could inhibit future EEO Officers or contractors in their candid assessment of an EEO complaint because by publicly disclosing their preliminary findings and conclusions, these officials will become much more cautious in their assessments and this could have a chilling effect on the entire EEO process.

The fact that the Alternate EEO Officer disclosed the draft document to Ms. McCrary does not in any way detract from the necessity to protect the document from public disclosure. As indicated, the disclosure to Ms. McCrary was for the limited purpose of protecting her due process rights by giving both Ms.McCrary and management the opportunity to comment on the report. The extraordinary good faith effort of the Alternate Equal Opportunity Officer to assure due process for a complainant should not be used to the detriment of the EEO process by making an investigator's candid assessment of a case a public document. A contrary conclusion could inhibit an EEO Officer from making such documents available to complainants in future cases.

Regardless of the source of the documents, there is no authority to waive or otherwise limit the Department's assertion of the exemption (5) privilege. Because there was no disclosure by someone in an official capacity and there is no evidence of widespread dissemination of the document, there has been no waiver of the FOIA exemption (5) privilege. Simmons v. United

States Department of Justice, 796 F.2d 709, 712 (4th Cir. 1986); Medina Hincanie v. Department of State, 700 F.2d 737, 742 n.20 (D.C. Cir. 1983); Ryan v. Department of Justice, 617 F.2d at 790. Further, we note that the draft document also contains references to statements from witnesses other than Ms. McCrary who have privacy interests that should be protected over and above the harm that would result to the EEO process through disclosure of the document. The need to protect privacy interests of other individuals who have provided statements to an EEO investigator are addressed in the following sections of this letter. In conclusion, the fact that the documents have been provided to Senator Fowler's office by an unknown source does not impact on whether the draft document has lost its confidential status.

2. Portions of an employment application (form 171) of an individual other than Ms. McCrary should be withheld to protect the privacy of the individual.

The fact that information has been forwarded to a Senator should not waive the privacy interests of another individual, in this instance Ms. Shirley Martinez, the selectee for the position Ms.McCrary is contesting. The Department has provided Senator Fowler with the sanitized application form from Ms. Martinez for the position in issue as an attachment to its September 10, 1990 letter to him. While much of the information in Ms. Martinez's employment application is public information, there is a privacy interest of Ms. Martinez in such personal information as her home address, home telephone number, social security number, etc. An applicant or Federal employee does not give up all expectations of personal privacy merely because he or she is selected for a position in the Federal service. The sanitized copy of Ms. Martinez's 171 provided to Senator Fowler deleted only this limited personal information of Ms. Martinez.

We believe the privacy interest of Ms. Martinez in the personal information in her employment application outweigh any public interest in disclosure pursuant to the balancing test recently set forth by the Supreme Court in Department of Justice v. Reporters Committee for Freedom of the Press, 109 S. Ct. 1468 (1989). We note there is nothing in the personal information relating to Ms. Martinez which would "shed light on an agency's performance of its statutory duties." Id. at 1481. Thus, if the employment applications of Ms. McCrary and Ms. Martinez are to be made public, Ms. Martinez's application should be sanitized to delete personal information in the same manner as in the sanitized version of her application which we already provided to Senator Fowler.

3. Many of the documents in the EEO file on Ms. McCrary's EEO complaint should be withheld to protect the privacy of individuals other than Ms. McCrary.

We understand the entire EEO investigative file may have been made available to members of the Committee. While it may not be contemplated to disclose publicly the entire investigative file at this time, we are offering our comments in the event that this becomes an issue. Our main concern is that the EEO investigative file contains sworn statements of witnesses other than Ms. McCrary. The privacy interests of witnesses providing sworn statements are protected by two exemptions under the Freedom of Information Act, exemptions (6) and (7)(C). While Ms. McCrary may waive her own privacy interests, she should not be permitted to waive the privacy interests of other witnesses.[1] We will separately discuss each of the applicable exemptions.

Exemption (6)

FOIA exemption (6) allows an agency to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b) (6). The threshold requirement of exemption (6) that the information be contained in a personnel, medical or similar file has been construed by the Supreme Court to extend the coverage of the exemption to any agency records containing information about a particular individual that can be identified as applying to that individual. U.S. Department of State v. Washington Post Co., 456 U.S. 595 (1982).

When disclosure of information about particular individuals is requested, it is necessary to determine whether release of the information would constitute a clearly unwarranted invasion of the individual's privacy. U.S. Department of State v. Washington Post Co., supra. The determination requires a balancing of the privacy interest at stake against the public interest to be served by disclosure. Department of the Air Force v. Rose, 425 U.S. 352 (1976); Public Citizen Health Research Group v. U.S. Department of Labor, 591 F.2d 808 (D.C. Cir. 1978).

The nature of the balancing process was considered by the Supreme Court in Department of Justice v. Reporters Committee for Freedom of the Press, 109 S. Ct. 1468 (1989). Although Reporters Committee involved the balancing process under exemption (7)(C), it is equally applicable to exemption (6).

There is no question that the witness statements are contained in a "personnel or similar" file and that the witnesses provided their statements with the expectation that the statements would not be made publicly available. We find no public interest which would outweigh the privacy interests of the witnesses. Release of their statements would not be of interest to the public and would not contribute to the public's understanding of the EEO process. On the other hand, the witnesses have an interest in not being subject to harassment or embarrassment for giving their frank opinions to an EEO investigator. Thus, we believe the witness statements of other individuals are encompassed within exemption (6) and that the privacy interests of those individuals should be protected.

---

[1] Regardless of whether the Privacy Act precludes the release by Ms. McCrary of sworn statements given by other individuals to the EEO investigator, we urge your Committee to recognize and protect the important privacy interests of these other individuals by not publishing the information in this public record.

Exemption (7)(C)

Exemption (7)(C) provides protection for personal information in law enforcement records. It closely parallels exemption (6) as it requires an identification and balancing of the relevant privacy and public interests to determine whether the disclosure of an item of law enforcement information "could reasonably be expected to constitute an unwarranted invasion of personal privacy." 5 U.S.C. § 552 (b)(7)(C), as amended by Pub. L. No. 99-570, § 1802 (1986).

By contrast with exemption (6), however, exemption (7)(C)'s language establishes a lesser burden of proof to justify withholding in two distinct respects. It is well established that the omission of the word "clearly" from the language of exemption (7)(C) lessens the burden of the agency and stems from a recognition of the fact that law enforcement records are inherently more invasive of privacy than "personnel and medical files and similar files." Congressional News Syndicate v. Department of Justice, 438 F. Supp. 538, 541 (D.D.C. 1977) ("[A]n individual whose name surfaces in connection with an investigation may, without more, become the subject of rumor and innuendo"); see also, e.g. Iglesias v. CIA, 525 F. Supp. 547, 562 (D.D.C. 1981). The Freedom of Information Reform Act of 1986 further broadened the protection afforded by exemption (7)(C) by lowering the risk of harm standard from "would" to "could reasonably be expected to." 5 U.S.C. § 552(b)(7)(C).

We believe an EEO investigation file qualifies as a law enforcement file as it pertains to investigations of violations of EEO laws and we have so concluded in opinions issued by this Office. With regard to the statements of witnesses: "It is generally recognized that the mention of an individual's name in a law enforcement file will engender comment and speculation and carries a stigmatizing connotation." Branch v. FBI, 658 F. Supp. 204, 209 (D.D.C. 1987). Furthermore, just because a requester might on his own be able to "piece together" the identities of third parties whose names have been deleted does not diminish the exemption's protection. Weisberg v. Department of Justice, 745 F.2d 1476, 1491 (D.C. Cir. 1984).

In particular, there is a protectible privacy interest in the identities of individuals who provide information to law enforcement agencies. Cleary v. FBI, 811 F.2d 421, 424 (8th Cir. 1987). Also, the names of witnesses, their home and business addresses and telephone numbers, have been held protectible under exemption (7)(C). See L&C Marine Transportation, Ltd. v. United States, 740 F.2d 919, 922 (11th Cir. 1984); United States Steel Corp. v. Department of Labor, 558 F. Supp. 80, 82-83 (W.D. Pa. 1983), see also Friedman v. FBI, 605 F. Supp. 306, 321 (N.D. Ga. 1981) ("names and other unique personal information" about witnesses held exempt); Brown v. FBI, 658 F.2d 71, 75-76 (2d Cir. 1981) (information concerning witness who testified against requester protected under exemption (6)); Holy Spirit Ass'n v.FBI, 683 F.2d 562, 564-565 (D.C. Cir. 1982) (both exemptions (6) and (7)(C)); Blakey v. Department of Justice, 549 F. Supp. 362, 365-66 (D.D.C. 1982), aff'd in part, vacated in part mem., 720 F.2d 215 (D.C. Cir. 1983).

Once a privacy interest has been identified and assessed, it is to be balanced against the public interest, if any, that would be served by disclosure. The public interest may favor either disclosure, Lesar v. Department of Justice, 636 F.2d at 486, or nondisclosure of personal privacy information, e.g., Miller v. Bell, 661 F.2d 623, 631 (7th Cir. 1981), cert. denied, 456 U.S. 960 (1982); Fund for Constitutional Government v. National Archives & Records Service, 656 F.2d 856, 865 n. 22 (D.C. Cir. 1981). The public interest in disclosure must be significant, if not compelling, to overcome legitimate privacy interests, Senate of Puerto Rico v. Department of Justice, 823 F.2d 574, 588 (D.C. Cir. 1987), and must relate to the FOIA's core purpose of "shedding light on an agency's performance of its statutory duties." Dept. of Justice v. Reporters Committee for Freedom of the Press, 109 S. Ct. at 1481-83. Furthermore, "[w]here the requester fails to assert a public interest purpose for disclosure, even a less than substantial invasion of another's privacy is unwarranted." King v. Department of Justice, 586 F. Supp. 286, 294 (D.D.C. 1983), aff'd, 830 F.2d 210 (D.C. Cir. 1987).

While there is a public interest in enforcing the EEO laws, in this instance that public interest does not overcome the privacy interests of the individuals. We believe there is a public interest in securing the testimony of witnesses in EEO investigations, which is furthered by refusing to identify such witnesses, which adds additional weight against releasing the identities of those who may have testified or who may have been mentioned in testimony given in an EEO investigation.

4. The "Crediting Plan" for the position Ms. McCrary applied for should not be placed in the public record.

The EEO investigative file contains a copy of the crediting plan for the position in issue. In an earlier letter to Senator

Fowler we advised him that we were not providing the crediting plan for the position because it is a very basic one which can be used for a variety of administrative positions. Thus, we anticipate the crediting plan may be used again in the near future to fill other positions. For reasons discussed below, the crediting plan is exempt from disclosure under exemption (2) of the FOIA.

Exemption (2)

Exemption (2) of the FOIA allows for the withholding of records "related solely to the internal personnel rules and practices of an agency." 5 U.S.C. § 552(b)(2). This has been interpreted to include two categories of information: (1) information relating to internal matters of a trivial nature such as use of parking facilities, lunch hours, sick leave, etc., and (2) information relating to more substantial internal matters if the disclosure would allow circumvention of a statute or an agency regulation. Department of the Air Force v. Rose, 425 U.S. 352 (1976).

The D.C. Circuit has established a two-part test for determining which sensitive materials are exempt from disclosure under the second aspect of exemption (2). This test requires that the information be "predominantly internal" and that its disclosure would "significantly risk circumvention of agency regulations or statutes." Crooker v. Bureau of Alcohol, Tobacco & Firearms, 670 F.2d 1051 (D.C. Cir. 1981) (en banc). The application of this test has allowed for the withholding of sensitive information used in "crediting plans" used to select individuals for appointment. These plans contain material used to evaluate the experience that qualify a candidate, and corresponding ratings that would result from answers to questions. N.T.E.U. v. Customs Service, 602 F. Supp. 469 (D.D.C. 1984), affirmed, 802 F.2d 525, 528-29 (D.C. Cir. 1986); Kaganove v. EPA, 856 F.2d 884, 890 (7th Cir. 1988). See also Oatley v. United States, 3 GDS Par. 83, 274 (D.D.C. 1983).

Office of Personnel Management (OPM) directives provide for the protection of these sorts of materials, including:

> standards or scoring criteria for work samples or simulations. . . [and] aspects of operational evaluation procedures which involve selected samples of tasks or items which, if known before hand to candidates, would allow candidates to improve performance on the sample of facts or items without performance being an indication of ability on the broader range of job requirements from which the sample is chosen.

FPM Supp. 335-1.

The crediting plan for the position Ms. McCrary applied for is "predominantly internal" because it was developed by the Office of the Secretary for use in determining how to rate applicants for its vacancies. The plan is not used for other purposes. We also believe the disclosure of the crediting plan used here would "significantly risk circumvention of agency regulations or statutes." Persons having access to the plan could use it to obtain information that would assist them unfairly in structuring an application to match the rating criteria established in the plan. This would compromise the Government's statutory mandate to ascertain the fitness of applicants for Federal employment and promotion in ways that fairly test the relative fitness and capacity of the applicants. 5 U.S.C. §§ 3301, 3304, 3361; Oatley v. United States, supra.

The OPM directives also provide that the agency is responsible for determining what information is not releasable and that the agency must be able to defend its decision. The FOIA itself requires that nonexempt material that is reasonably segregable from exempt material shall be released. 5 U.S.C.§ 552(b).

We have reviewed the crediting plan for the position in issue. We are of the opinion that the entire crediting plan is protected from release by exemption (2) and that disclosure could compromise the selection process for a whole range of administrative positions. The fact that the crediting plan was provided to the EEO investigator does not affect the exempt status of the document. Badhwar v. United States Department of the Air Force, 629 F. Supp. 478, 481 (D.D.C. 1986); see also Ryan v. Department of Justice, 617 F.2d at 790.

Conclusion

There are a number of problematic factors in the proposal to disclose the documents concerning Ms. McCrary's EEO complaint. There are underlying interests of fairness to governmental decisionmaking and privacy interests of individuals, other than the complainant, which strongly mitigate against public disclosure of the documents in issue. Because Ms. McCrary's EEO complaint is in the investigation stage and hence the fact finding process is still on-going, there is little value in disclosing a draft document which may yet undergo further revision as the result of additional information developed during the follow-up investigation. There is even less value in compromising the privacy of individuals who provided statements in cooperation with an EEO investigation and an agency's crediting plan.

We appreciate the opportunity to provide our comments on this matter and we would be pleased to respond to any further questions or comments from your Committee.

Sincerely,

Daniel G. Shillito

Daniel G. Shillito
Associate Solicitor
Division of General Law

Enclosure

cc: The Honorable Malcolm Wallop
United States Senate

6 Other names ever used

7 Sex (for statistical use)
☐ Male ☒ Female

8 Home Phone
Area Code | Number

9 Work Phone
Area Code | Number | Ext.

10 Were you ever employed as a civilian by the Federal Government? If "NO", go to 11. If "YES", mark each type of job you held with an "X".
☐ Temporary ☐ Career-Conditional ☒ Career ☐ Excepted
What is your highest grade, classification series and job title?

GS-301-14
Dates at highest grade: FROM 8-27-89 TO present

11 Do you have any applications for Federal employment on file with the U.S. Office of Personnel Management? If "NO", mark here ☒ and go to 12. If "YES", write below and continue in 47 the information for each application: (a) the name of the office that has your application; (b) the title of the job; (c) the date of your Notice of Results, and (d) your rating.

12 When can you start work? (Month and Year)

13 What is the lowest pay you will accept?
Pay $____ . ____ OR Grade ____

		YES	NO
14 Are you willing to work:	A In the Washington, D.C., metropolitan area?	x	
	B Outside the 50 United States?		
	C Any place in the United States?		
	D Only in (list the location(s))		
15 Are you willing to work:	A 40 hours per week (full-time)?	x	
	B 25-32 hours per week (part-time)?		
	C 17-24 hours per week (part-time)?		
	D 16 or fewer hours per week (part-time)?		
	E In an intermittent job (on-call/seasonal)?		
	F Weekends, shifts, or rotating shifts?		
16 Are you willing to take a temporary job lasting:	A 5 to 12 months (sometimes longer)?		x
	B 1 to 4 months?		x
	C Less than 1 month?		x
17 Are you willing to travel away from home for:	A 1 to 5 nights each month?	x	
	B 6 to 10 nights each month?		x
	C 11 or more nights each month?		x

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

Page 1 PREVIOUS EDITION USABLE NSN 7540-00-935-7150 171-108

MILITARY SERVICE AND VETERAN PREFERENCE

18 Have you served on active duty in the United States Military Service? *If your only active duty was training in the Reserves or National Guard, answer "NO". If "NO", go to 22.*

19 Were you honorably discharged from the military service? *If your discharge was changed to "honorable" or "general" by a Discharge Review Board, answer "YES". If you received a clemency discharge, answer "NO". If "NO", explain in 47.* N/A

20 Did you or will you retire at or above the rank of major or lieutenant commander? N/A

21 List the dates, branch, and serial number for all active duty service.

FROM	TO	BRANCH OF SERVICE	SERIAL NUMB

22 Place an "X" in the box next to your Veteran Preference claim. Mark only o
See the instructions for eligibility information.

x 1 NO PREFERENCE

2 5-POINT PREFERENCE—You must show proof when you are hired.

10-POINT PREFERENCE—If you claim 10-point preference, you must c
a Standard Form 15, which is available at any Federal Job Information
ATTACH THE COMPLETED SF 15 TO THIS APPLICATION, TOGETHER W
PROOF REQUESTED IN THE SF 15.

3 Non-compensably disabled or Purple Heart recipient.

4 Compensably disabled (less than 30%).

5 Spouse, widow(er), or mother.

6 Compensably disabled (30% or more)

Standard Form 171 (R
Office of Personnel Ma
FPM Chapter 2

BEST AVAILABLE COPY

3. Job Title or Announcement Number You Are Applying For

4. Date Completed March 2, 1990

A Name and address of employer's organization (include ZIP Code, if known) Department of the Interior Policy, Management and Budget 1849 C Street, N.W. Washington, D.C. 20240	Dates employed (give month and year) From 3-1-89 To 8-26-89 Salary or earnings Starting $ per Ending $ per	Average number of hours per wee 40 Place of employment City Washington, D.C State
Exact title of your job Staff Assistant	Your immediate supervisor Name [redacted] Area Code Telephone Number [redacted]	Number and job titles of any emp supervised(d)
Kind of business or organization (manufacturing, accounting, social service, etc.) Policy, Management, Budget	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GM-201-13, 4-85	Your reason for wanting to leave

Serve as liaison for supervisor in dealings with officials both within and outside t Department. Attend meetings with or on behalf of supervisor and assure PMB interests are represented at intergovernmental meetings, including the Domestic Policy Council.

Serve as the supervisor's point of contact for transition appointments. Responsible for establishing mechanisms to assure timeliness response to appointments and project Determine which calls/visits will be handled personally or must be referred to other bureaus,departments within Interior.

Responsible for special studies or surveys of problems, projects, or program implementation as designated by supervisor. Except for brief instructions, if any, carry out assignments and provide completed staff work in accordance with supervisor' requests.

B Name and address of employer's organization (include ZIP Code, if known) Department of the Interior Policy, Management and Budget 1849 C Street, N.W. Washington, D.C. 20240	Dates employed (give month and year) From 8-27-89 To present Salary or earnings Starting $ per Ending $ per	Average number of hours per wee 40 Place of employment City Washington, D. State
Exact title of your job Staff Assistant	Your immediate supervisor Name [redacted] Area Code Telephone Number [redacted]	Number and job titles of any emp supervised
Kind of business or organization (manufacturing, accounting, social service, etc.) Policy,Management and Budget	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-301-14, 8-27-89	Your reason for leaving

Establish and maintain a wide variety of contacts--within the Executive branch, inclusive of the Domestic Policy Council, congress, constituents, groups, etc. Determine which meetings to attend, participate in or call briefings, conferences on matters relating to assignments, and act at the direction of the Assistant Secretary. Additionally, contribute to program discussion and developments based upon prior research. In connection therewith, perform special studies, reviews and analyses for purposes of making recommendation for the modification and improvement of programs and/or issues under the jurisdiction of the Assistant Secretary.

Review and coordinate completed staff work for Assistant Secretary by staff officials. Ensure assignments meet Assistant Secretary's objectives and are prepared for Assistan Secretary's decision.

BEST AVAILABLE COPY

Continuation Sheet

[redacted]

Serve as member of interagency working groups, committees or task forces to accomplish Departmental objectives and discuss problems of interagency concern. At times represent the Assistant Secretary in coordinating work in cases of overlapping Departmental activities to satisfactory completion. Make recommendations on which course of action to follow based upon my individual knowledge and experience of each department's projects/activities, programs, and objectives.

Conduct in-depth review and assure completed staff work presented to the Assistant Secretary for action. Inform Assistant Secretary of daily activities which may develop into problems or which may influence on-going projects.

Assemble and coordinate material for Assistant Secretary's use at meetings and provide reports for his use at meetings, both at an inter-agency and intra-agency levels.

Communication with officials in the Department, other Federal agencies, and non-Federal interest groups is often necessary to develop information and discuss technical program issues relative to Departmental objectives. When necessary, represent the Assistant Secretary on departmental, interdepartmental and intradepartmental issues.

[illegible] we will contact you first [x|]

24 READ WORK EXPERIENCE ON THE INSTRUCTION PAGE BEFORE YOU BEGIN

- Describe your current or most recent job in Block A and work backwards, describing each job you held during the past 10 years.
- You may sum up in one block work that you did more than 10 years ago. But if that work is related to the type of job you are applying for, describe each related job in a separate block.
- If you were unemployed for longer than 3 months, list the dates and your address(es) at that time in 47. Do not list unemployment that was more than 10 years ago.

[illegible]

- INCLUDE MILITARY SERVICE—You should complete all parts of the experience as you would for a non-military job, including all supervisory experience. Desc major change of duties or responsibilities in a separate experience block.
- IF YOU NEED MORE EXPERIENCE BLOCKS OR MORE SPACE TO DESCRIBE A For more blocks, use the SF 171-A or sheets of paper the same size as this page i include all information we ask for in A or B below. On each sheet show your Nan Security Number, and the announcement number or job title. For more space continue in 47 or on a sheet of paper as described above.
- IF YOU NEED TO UPDATE (ADD MORE RECENT JOBS), use the SF 172 or a shee as described above.

C Name and address of employer's organization (include ZIP Code, if known)

HQ Air Force Systems Command
Civilian Personnel
Andrews AFB, MD 20331-5964

Dates employed (give month and year) From 1-83 To 11-12-85

Average number of hours per week 40

Salary or earnings Starting $ per Ending $ per

Place of employment City Andrews AFB State MD

Exact title of your job: Personnel Management Specialist

Your immediate supervisor Name [redacted] Area Code Telephone Number [redacted]

Number and job titles of any employ supervised

Kind of business or organization (manufacturing, accounting, social service, etc.): Personnel

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: 201 - GM-13 - April, 1985

Your reason for wanting to leave

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and paint or personnel and budget), write the approximate percentage of time you spent doing each.

Provide policy direction, develop Command policy and guidance in accordan with OPM, DOD, and AF standards, policy directives. Prepare guidance and responses to field questions on assigned programs. Devise methods and procedures to accomplish workforce analysis on occupations/career program: Serve as member on AFSC and/or IG evaluation team. Represent the Command at meetings and conferences. Provide advice and assistance in Affirmative Employment. Responsible for program management and workforce EEO composit

For Agency Use (skill codes,

D Name and address of employer's organization (include ZIP Code, if known)

San Antonio Air Logistics Center
DPCXO
Kelly AFB, TX 78241

Dates employed (give month and year) From 8-29-82 To 1-83

Average number of hours per week 40

Salary or earnings Starting $ per Ending $ per

Place of employment City San Antonio State TX

Exact title of your job: Equal Employment Manager

Your immediate supervisor Name [redacted] Area Code Telephone Number [redacted]

Number and job titles of any employ supervised: 14 Part-Time FWPM's

Kind of business or organization (manufacturing, accounting, social service, etc.): Personnel

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: GS-260-12, 1-2-83

Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and paint or personnel and budget), write the approximate percentage of time you spent doing each.

Serve as focal point & mgr for SA-ALC Federal Women's Program (FWP). Develop guidelines & plans to foster EEO for women. Consult & coordinate with public & private groups & individuals concerned with women's rights & improve employment opportunities for female employees in traditional an non-traditional fields. Develop & accomplish lectures, briefings to group mgrs & supvs at all levels of government & employees. Provide employees upward mobility career counseling. Review selection trends & personnel actions in relation to advancement of women in workforce. Serve as adviso & direct activities of alternate FWPMs. Permanent member of EEO Advisory Committee.

For Agency Use (skill codes,

FOR MORE EXPERIENCE BLOCKS SEE SF 171-A ON BACK OF INSTRUCTION PAGE

ADDITIONAL WORK EXPERIENCE BLOCKS IF NEEDED

E

Name and address of employer's organization (include ZIP Code, if known) San Antonio Air Logistics Center DPCCO Kelly AFB, TX 78241	Dates employed (give month and year) From 2-14-82 To 8-28-82 Salary or earnings Starting $ per Ending $ per	Average number of hours per wee 40 Place of employment City San Antonio State TX
Exact title of your job Classification Specialist	Your immediate supervisor Name [redacted] Area Code Telephone Number [redacted]	Number and job titles of any emp supervised 0
Kind of business or organization (manufacturing, accounting, social service, etc.) Personnel	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-221-11	Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and pai or personnel and budget), write the approximate percentage of time you spent doing each.

Provide advisory service & staff assistance to management in classificati program. Provide solutions to planning reorganizations, job classificati position structures, skill requirement changes, control of high-grade positions, etc. Interpret classification standards. Apply knowledge of organization & manning principles & personnel management. Conduct classification surveys; review classification act & wage standards; participate in personnel management reviews.

For Agency Use (skill codes

F

Name and address of employer's organization (include ZIP Code, if known) San Antonio Air Logistics Center DPCXO Kelly AFB, TX 78241	Dates employed (give month and year) From 8-16-81 To 2-13-82 Salary or earnings Starting $ per Ending $ per	Average number of hours per week 40 Place of employment City San Antonio State TX
Exact title of your job Equal Employment Specialist	Your immediate supervisor Name [redacted]	Number and job titles of any emp supervised 0
Kind of business or organization (manufacturing, accounting, social service, etc.) Personnel	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-269-9 Developmental 11	Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and pain or personnel and budget), write the approximate percentage of time you spent doing each.

Provide EEO staff assistance and support in planning, organizing, directi and evaluating the development & implementation of the SA-ALC Affirmative Action Plan. Consult with management to identify problems, their causes & recommend solutions. Analyze & compile reports on statistical employment status for ALC. Knowledge of informal/formal discrimination complaint process to participate in complaint resolutions required as well as knowl of Federal Personnel System to monitor evaluation of personnel actions.

For Agency Use (skill codes

3. Job Title or Announcement Number You Are Applying For

4. Date Completed

ADDITIONAL WORK EXPERIENCE BLOCKS IF NEEDED

G

Name and address of employer's organization (include ZIP Code if known)

12th Flying Training Wing
DPCS
Randolph AFB, TX 78150

Dates employed (give month and year)
From 2-1-81 To 4-25-81

Average number of hours per week
40

Salary or earnings
Starting $ per
Ending $ per

Place of employment
City San Antonio
State TX

Exact title of your job
Personnel Staffing Specialist

Your immediate supervisor
Name Area Code Telephone Number
[redacted]

Number and job titles of any employees supervised
0

Kind of business or organization (manufacturing, accounting, social service, etc.)
Personnel

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion
GS-212-9

Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and pai or personnel and budget), write the approximate percentage of time you spent doing each

Provide advisory service & staff assistance to management in staffing program. Service assigned organizations in the filling and recruitment of vacancies in accordance with FPM policies & practices. Develop staffing plans for filling upward mobility positions & worker-trainee positions.

For Agency Use (skill code

H

Name and address of employer's organization (include ZIP Code if known)

12th Flying Training Wing
DPCO
Randolph AFB, TX 78150

Dates employed (give month and year)
From 7-1-79 To 4-24-81

Average number of hours per week
40

Salary or earnings
Starting $ per
Ending $ per

Place of employment
City San Antonio
State TX

Exact title of your job
Equal Employment Specialist

Your immediate supervisor
Name Area Code Telephone Number
[redacted]

Number and job titles of any employees supervised
0

Kind of business or organization (manufacturing, accounting, social service, etc.)
Personnel

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion
GS-160-7 Developmental 9

Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and pai or personnel and budget), write the approximate percentage of time you spent doing each

Serve as Hispanic Employment Program Manager & responsible for the development of guidelines and plans to foster EEO for Hispanics. Serve as the Randolph representative responsible for consulting & coordinating with public/private groups concerned with employment of Hispanics. Prepare staff studies, reports, correspondence in addition to collecting & analyzing employment data of assigned program. Brief Wing Commander's staff meetings on Wing's EEO posture.

For Agency Use (skill cod

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER
PREVIOUS EDITION USABLE NSN 7540-00-935-7157

Standard Form 171
Office of Personnel
FPM Chapte

[illegible]

3. Job Title or Announcement Number You Are Applying For

4. Date Completed

ADDITIONAL WORK EXPERIENCE BLOCKS IF NEEDED [illegible]

I

Name and address of employer's organization (include ZIP Code, if known)

3700 Personnal Resources Group
DPCO
Lackland AFB, TX 78236

Dates employed (give month and year) From 10-23-77 To 6-30-79

Average number of hours per week 40

Salary or earnings
Starting $ per
Ending $ per

Place of employment
City San Antonio
State TX

Exact title of your job: Administrative Services Assistant

Your immediate supervisor Name Area Code Telephone Number [redacted]

Number and job titles of any employees supervised: 1

Kind of business or organization (manufacturing, accounting, social service, etc.): Personnel

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: GS-301-6

Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

Assist in developing EEO Plan of Acrion including: establishing goals & timetables, writing major portions of plan narrative summaries, and collecting and analyzing employment trends. Compile data and prepare reports, viewgraphs on EEO program activities. Recommend training for special emphasis program staff members. Screen incoming correspondence for AEEOOA and composes replies as requested.

For Agency Use (skill codes, etc.)

☐

Name and address of employer's organization (include ZIP Code, if known)

Dates employed (give month and year) From To

Average number of hours per week

Salary or earnings
Starting $ per
Ending $ per

Place of employment
City
State

Exact title of your job

Your immediate supervisor Name Area Code Telephone Number

Number and job titles of any employees supervised

Kind of business or organization (manufacturing, accounting, social service, etc.)

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion

Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

For Agency Use (skill codes, etc.)

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

PREVIOUS EDITION USABLE NSN 7540-00-935-7157 171-208

Standard Form 171
Office of Personnel
FPM Chapter

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[illegible] within the next nine months, answer "YES".

YES x	If "YES", give month and year of graduation	5-22-65
NO	If "NO", give the highest grade you completed	

San Antonio, TX 78207

27 Have you ever attended college or graduate school? YES x NO ☐ — If "YES", continue with 28. If "NO", go to 31.

28 NAME AND LOCATION (city, state and ZIP code) OF COLLEGE OR UNIVERSITY. If you expect to graduate within nine months, give the month and year you expect to receive your degree.

NAME AND LOCATION	MONTH AND YEAR ATTENDED		NO. OF CREDITS COMPLETED		TYPE OF DEGREE (e.g. B.A., M.A.)
	From	To	Semester Hours	OR Quarter Hours	
1) San Antonio College San Antonio, TX	65/72	66/72			
2) Our Lady of the Lake University San Antonio, TX	73	73			
3) St Phillips College San Antonio, TX	75	79			

29 CHIEF UNDERGRADUATE SUBJECTS Show major on the first line	NO. OF CREDITS COMPLETED Semester hours OR Quarter hours	30 CHIEF GRADUATE SUBJECTS Show major on the first line	NO. OF CREDITS Semester hours OR [illegible]
1) Refer to Cont. Sheet		1)	
2) Attached		2) n/a	
3)		3)	

31 Have you completed any other courses or training related to the kind of jobs you are applying for (for example, trade, vocational, Armed Forces or business)? YES x NO ☐ — If "YES", give the information requested below. (More courses? — use a sheet of [illegible]) If "NO", go to 32.

MONTH AND YEAR TRAINING COMPLETED	TOTAL CLASSROOM HOURS	SUBJECT(S)	NAME AND LOCATION OF SCHOOL City, state and ZIP code (if known)
1) Refer to Cont. Sheet			
2) Attached			
3)			

SPECIAL SKILLS, ACCOMPLISHMENTS AND AWARDS [illegible]

32 [illegible] special qualifications, skills or accomplishments that may help you get a job. Some examples are: skills with machines, most important publications (do not submit copies [illegible]), public speaking experience, membership in professional or scientific societies, patents or inventions, etc.

Experience in briefing all levels of government - Base, Wing, HQS, HQS/USAF

33 [illegible] words per minute can you: [illegible] | [illegible] dictation?

70wpm 80 wpm

Agencies may test your [illegible] before hiring you.

34 List job-related licenses or certificates that you have, such as: registered nurse, lawyer, radio operator, driver's, pilot's, etc.

LICENSE OR CERTIFICATE	DATE OF LATEST LICENSE OR CERTIFICATE	STATE OR OTHER LICENSING AGENCY
1) n/a		
2)		

35 [illegible] a language other than English (include sign language)? Applicants for jobs that require a language other than English may be given an interview conducted solely in that language. YES ☐ NO ☐ — If "YES", list each language and place an "X" in each column that applies to [illegible]. If "NO", go to 36.

LANGUAGE(S)	CAN PREPARE AND GIVE LECTURES		CAN SPEAK AND UNDERSTAND		CAN TRANSLATE ARTICLES		CAN READ [illegible] FOR OWN [illegible]
	Fluently	With Difficulty	Fluently	Passably	Into English	From English	Easily
1) Spanish	x		x		x	x	x
2)							

36 List any honors, awards, or fellowships you have received. For each, give the year it was received.

REFERENCES [illegible]

37 [illegible] three people who are not related to you and who know your qualifications and fitness for the kind of job(s) for which you are applying. Do not list supervisors you listed und[illegible]

FULL NAME OF REFERENCE	PRESENT BUSINESS OR HOME ADDRESS (Number, street, city, state, and ZIP code)	TELEPHONE NUMBER(S) (Include area code)	BUSINESS OR [illegible]
1)			
2)			
3)			

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… may be grounds for not hiring you, for firing you after you begin work, or for criminal prosecution (18 USC 1001).

39 During the last 10 years, were you fired from any job for any reason, did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems? If "YES" use 47 to write for each job: a) the name of the employer; b) the approximate date you left the job; and c) the reason(s) why you left

When answering questions 40 through 44 you may omit: 1) traffic fines of $100.00 or less; 2) any violation of law committed before your 18th birthday, if finally decided in juvenile court or under a youth offender law; 3) any conviction set aside under the Federal Youth Corrections Act or similar State law; 4) any conviction whose record was expunged under Federal or State law.

40 Have you ever been convicted of or forfeited collateral for any felony?
A felony is defined as any violation of law punishable by imprisonment of longer than one year, except for violations called misdemeanors under State law which are punishable by imprisonment of two years or less.

41 Have you ever been convicted of or forfeited collateral for any firearms or explosives violation?

42 During the last 10 years have you forfeited collateral, been convicted, been imprisoned, been on probation, or been on parole? Do not include violations reported in 40 or 41 above.

43 Are you now under charges for any violation of law?

44 Have you ever been convicted by a court-martial? If no military service, answer "NO".

IF YOU ANSWERED "YES" TO 40, 41, 42, 43, or 44, GIVE DETAILS IN 47. For each violation write the: 1) date; 2) charge; 3) place; 4) court; and 5) action taken.

45 Do any of your relatives work for the United States Government or the United States Armed Forces? Include: *father; mother; husband; wife; son; daughter; brother; sister; uncle; aunt; first cousin; nephew; niece; father-in-law; mother-in-law; son-in-law; daughter-in-law; brother-in-law; sister-in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half brother; and half sister.*
If "YES" use 47 to write for each of these relatives, their: *a) name; b) relationship; c) department, agency, or branch of the Armed Forces.*

46 Do you receive, or have you ever applied for retirement pay, pension, or other pay based on military, Federal civilian, or District of Columbia Government service?

ADDITIONAL SPACE FOR ANSWERS

47 Write the number to which each answer applies. If you need more space, use sheets of paper the same size as this page. On each sheet write your name, Social Security Number, the announcement number or job title. Attach all additional sheets at the top of page 3.

CERTIFICATION AND RELEASE OF INFORMATION

YOU MUST SIGN THIS APPLICATION. Read the following carefully before you sign.

A false statement on any part of your application may be grounds for not hiring you, or for firing you after you begin work. Also, you may be punished by fine or imprisonment (U.S. Code, Title 18, Section 1001).

I understand that any information I give may be investigated as allowed by law or Presidential order.

I consent to the release of information about my ability and fitness for Federal employment by *employers, schools, law enforcement agencies and other individuals and organizations, to investigators, personnel staffing specialists, and other authorized employees of the Federal Government.*

I certify that, to the best of my knowledge and belief, all of my statements are true, correct, complete, and made in good faith.

48 SIGNATURE (Sign each application in dark ink)
[redacted]

49 DATE SIGNED (Month, day, year)
[redacted]

U.S. Government Printing Office: 198?—491-248/

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Position: Vice President

From: 12-85 to 2-87 (Full-time)

Served as vice-president of family owned management consulting and marketing business. Assisted in servicing small businesses to develop their market potential for competition in the business arena. Advised in accomplishing goals, financial objectives, personnel staffing, marketing activities, and other matters related to business growth. Businesses included electronics, computer software development, manufacturing, underwater construction and advertising.

==

[redacted]

6

From: 2-87 to 12-87

Supervisors:

Provided volunteer staff assistance and support in the implementation of plans, organization, and execution of political objectives designed to secure [redacted] nomination and election as [redacted].

==

[redacted]

Supervisor:

From: 7-88 to 11-88

Served as Acting Hispanic Liaison for the [redacted]. Provided volunteer staff support in the coalition development office during the detail of the coalition specialist to the campaign effort. Maintained public relations with Hispanic community leaders and assisted in dissemination of issue information of interest to the community. Developed speaker's bureau to be used by requesting organizations nationwide. Supplied reference data to field offices relative to campaign issues, controversies, and geographic political statistics.

==

[redacted]

Supervisor:

From: 12-88 to 1-31-89

Served as Special Assistant to the Director of Public Liaison for Hispanic Inaugural activities. Responsibilities included supervising a permanent staff of five and a volunteer committee of forty-five dedicated to the Hispanic effort in conjunction with the national inaugural celebrations. This included planning, organizing, budgeting, and executing objectives which encompassed the national Hispanic contribution to the Inaugural Committee. Working with a 0-based budget, we exceeded our liabilities and were able to make a substantial contribution to a non-profit organization.

==

SUPPLEMENTAL QUALIFICATIONS STATEMENT

[redacted]

Coordinator of Special Emphasis Programs
90-18(B)

1. Skill in coordinating a variety of unrelated and complex Issues.

As Staff Assistant to the Assistant Secretary - Policy, Budget and Administration, I have developed a strong command of Departmental programs and priorities (within PMB and DOI) supported by an extensive reference base of accompanying areas of responsibility and corresponding project official. I am able to receive internal or external calls and/or visitors and identify the appropriate program area, departmental level and official to respond to requests. These requests may often require multi-program analysis and evaluation in order to deliver a reply.

As a personnelist (SF 171, block C) I provided policy direction and developed program guidance in conformity with OPM, DOD, and AF standards and policy directives. Servicing assignments ranged from providing command-wide guidance and policy direction to responding to field questions on matters affecting personnel in classification, staffing, and equal employment opportunity arenas.

2. Ability to analyze, evaluate and develop recommendations.

Daily crisis situations approach my office which demand the ability to interpret incoming calls and/or requests into appropriate program areas; translate relevant information for proper forwarding to corresponding program official; and determine and analyze program areas affected which impact inter-bureau and departmental activities. When this is accomplished, I discuss and provide resolution on all program concerns in concert with all levels of this department, inclusive but not limited to, the Secretary of the Interior. When desiganated, I serve as a member, on Domestic Policy Council Working Groups which discuss and resolve departmental objectives and issues of national and interagency concern.

At both departmental and council levels, I supply my individual knowledge and experience of varied departmental projects, activities, programs and objectives to successfully resolve the issue before the department.

3. Knowledge of the Department's mission, organization and responsibilities.

Policy, Management and Budget has been viewed as the hub of activity within the department. All policy, whether originated in PMB or not, must flow through PMB for policy guidance and compliance with federal, statutory, and departmental authority and regulations. My ability to survive in my position is dependent upon a strong working knowledge of total inter and intra-departmental programs and management operations for purposes of providing total quality servicing to callers and visitors of this department.

4. Ability to effectively communicate orally with high level officials.

In my present position, I not only communicate directly with the Secretary in supplying program direction and coordinating Secretarial assignments, I also communicate daily with senior departmental officials in resolving matters affecting departmental programs. I also represent the Assistant Secretary at Domestic Policy Council meetings and interface directly with Cabinet-level officials.

My personnel background allows me the freedom to move into personnel areas easier than the average individual and as a result of my many years in the personnel arena, I have cultivated a strong working relationship with the personnel community and high-level agency officials in the federal sector.

5. Skill in written communications.

In my former personnel positions, I have prepared and delivered briefings to the Secretary of Defense, Command Generals, senior staff, and Presidents of national organizations. As program manager for the Federal Women's Program, Hispanic Employment Program, and servicing command personnelist, I have prepared staff reports, conducted written investigation inquiries, and prepared command policy directives for publishing. As a member of a command evaluation team, written findings and conclusions were basic to conducting daily business in program management.

6. Skill in working with individuals of various racial and ethnic backgrounds.

My early interest in serving the community developed in high school as a volunteer at a local United Fund agency which serviced the economically disadvantaged area of the west side in San Antonio, Texas. It was at this center, as well as church organizations later, that I recognized my need to contribute to my community with what abilities I then possessed or could thereafter develop. As a young adult in the federal workforce, I was involved in serving the disadvantaged through United Way organizations, parish activities, and equal opportunity councils. My efforts resulted in being the recipient of the Lackland EEO Compliant System Distinguished Award in 1976; the Air Force Systems Command EEO Award (Management Action Category) in 1984; and the Federal Women's Interagency Board and Office of Personnel Management Achievement Award (large agency award) in 1985.

Unrecognized, but equally important, are those cases I became involved with which, by furnishing communication and understanding to sensitive employee concerns, applied human dignity and respect applied served as guiding beacons in a successful resolution to desperate situations.

United States Department of the Interior
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

EQUAL OPPORTUNITY EMPLOYER

Announcement No.: 90-18(B)
Opening Date: February 21, 1990
Closing Date: March 14, 1990

VACANCY ANNOUNCEMENT

Position Title, Series and Grade: Coordinator of Special Emphasis Programs GM-301-14/15
Number of Vacancies and Nature of Position: One (1) Full-time Permanent Position
Full Performance Level: GM-15
Area of Consideration: Department-wide
Position Sensitivity: Nonsensitive
Conflict of Interest Statement Required: Yes
Limitations of Consideration: Consideration is limited to applicants with Civil Service status and to individuals eligible for noncompetitive appointment, such as VRA, handicapped, etc. Individuals requiring OPM certification will not be considered.

THIS POSITION HAS BEEN DESIGNATED FOR INCLUSION IN THE DEPARTMENT'S PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM (PMRS).

Location: Assistant Secretary - Policy, Management and Budget, Immediate Office of the Assistant Secretary, Washington, DC

Duties: As technical expert and staff adviser to the Assistant Secretary - Policy, Management and Budget, the incumbent serves as the key management official responsible for coordinating the Department's efforts related to minority and other special emphasis programs. The incumbent will coordinate the various program efforts of the Offices of Construction Management, Equal Opportunity, Historically Black College and University Programs and Job Corps, and Small and Disadvantaged Business Utilization. Conducts day-to-day coordination and liaison activities between officials of assigned areas and the Assistant Secretary. Serves as project manager for major special emphasis initiatives Departmentwide. Monitors changes in policy, position and program planning for assigned areas, and assures that attention is given to coordinating the development of new or revised policies, programs and/or procedures with program officials to enhance operating results. Provides advice and consultation to top level officials in all special emphasis program areas, and serves as the point of contact in the Immediate Office of the Assistant Secretary on these matters.

QUALIFICATIONS REQUIRED: (Applicants will not be considered further if these requirements **are not substantially met**): Applicants must meet qualification standards as specified in Office of **Personnel Management** X-118 Handbook. Applicants must have one (1) year of specialized **experience** equivalent at least to the next lower grade. **Specialized Experience is work experience** which is in or directly related to the line of work of the position, and which has equipped the applicant with the knowledge, skills, and abilities required to successfully perform the duties of the position. In addition, applicants must meet the selective factor listed below:

Selective Placement Factor: (Mandatory)

1. Knowledge of Federal Special Emphasis Programs as they relate to the functions of the Department.

QUALITY RANKING FACTORS: (Desirable)

1. Skill in coordinating a variety of unrelated and complex issues.

2. Ability to analyze, evaluate and develop recommendations.

3. Knowledge of the Department's mission, organization and responsibilities.

4. Ability to effectively communicate orally with high level officials.

5. Skill in written communications.

6. Skill in working with individuals of various racial and ethnic backgrounds.

Basis of Evaluation: All qualified status candidates applying for promotion will be evaluated on the basis of experience, education, training, self-development, awards, performance appraisals and supervisory evaluations as they relate to the aforementioned quality ranking factors. IT IS SUGGESTED THAT APPLICANTS ADDRESS THESE FACTORS IN THEIR SF-171 OR SUPPLEMENT. The names of all qualified candidates applying for lateral reassignments or lateral transfer will be certified to the selecting official for consideration. All candidates will receive consideration without regard to age, race, religion, color, national origin, politics, sex, or any other non-merit factors.

The application you submit for this position contains information subject to the Privacy Act of 1974. Information regarding this Act is available upon request in the Division of Personnel Services.

HOW TO APPLY: IN ACCORDANCE WITH 39 U.S.C. SECTION 415, APPLICATIONS WILL NOT BE ACCEPTED FROM APPLICANTS USING A POSTAGE PAID AGENCY ENVELOPE (PENALTY MAIL). APPLICANTS MUST SUBMIT AN APPLICATION FOR FEDERAL EMPLOYMENT (SF-171). THE ATTACHED SUPERVISORY EVALUATION (OR APPROPRIATE SUBSTITUTE) SHOULD BE COMPLETED AND RETURNED. TO RECEIVE CONSIDERATION, APPLICANTS MUST PROVIDE SUPPLEMENTAL QUALIFICATIONS STATEMENT(S) WHICH ADDRESS THE QUALITY RANKING FACTORS LISTED IN THE VACANCY ANNOUNCEMENT. THE QUALITY RANKING FACTORS WILL BE USED IN DETERMINING THE BEST QUALIFIED CANDIDATES FOR THE POSITION. EACH RANKING FACTOR SHOULD BE ADDRESSED SEPARATELY. FOR EACH FACTOR, DESCRIBE APPROPRIATE WORK EXPERIENCE, TRAINING, EDUCATION, AWARDS, ETC., TO DRAW ATTENTION TO YOUR KNOWLEDGES, SKILLS AND ABILITIES. RESPONSES MUST BE IN NARRATIVE FORMAT. DO NOT MAKE REFERENCES TO SF-171 ENTRIES. FAILURE TO SUBMIT MANDATORY SUPPLEMENTAL STATEMENT WILL PRECLUDE CONSIDERATION FOR THIS POSITION. TO ENSURE CONSIDERATION, SF-171'S AND THE APPROPRIATE MANDATORY SUPPLEMENT STATEMENT MUST BE RECEIVED IN THE PERSONNEL OFFICE ON OR BEFORE THE ABOVE CLOSING DATE. APPLICANTS ARE REQUESTED TO COMPLETE AND RETURN THE ATTACHED DI-1935 FORM (APPLICANT BACKGROUND SURVEY) WITH THEIR SF-171. HOWEVER COMPLETION IS NOT REQUIRED TO RECEIVE BONA FIDE EMPLOYMENT CONSIDERATION. APPLICATIONS AND MANDATORY STATEMENTS SHOULD BE SENT TO:

DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
DIVISION OF PERSONNEL SERVICES
BRANCH OF PERSONNEL OPERATIONS (B)
MAIL STOP #5459, MIB
18TH & C STREETS, N.W.
WASHINGTON, D.C. 20240

TELEPHONE INQUIRIES MAY BE DIRECTED TO (202) 343-4821.

VA # 90-18(B)

Supervisory Appraisal for Position of Coordinator of Special Emphasis Programs GM-301-14/15

Applicant ______________________________

Taking into consideration the duties of the position and the qualification requirements indicated in the vacancy announcement, please make an evaluation on each of the elements below based on (1) the applicant's demonstrated performance, or (2) on your estimate of the individual's potential ability. The applicant will be shown a copy of this evaluation upon his/her request. Comments on the applicant may be provided on a separate sheet of paper.

ELEMENTS	Rating				Opportunity to Judge		
	Superior	Above Average	Average	Needs Improvement	Frequently	Infrequently	None
1. Skill in coordinating a variety of unrelated and complex issues.							
2. Ability to analyze, evaluate, and develop recommendations.							
3. Knowledge of the Department's mission, organization and responsibilities.							
4. Ability to effectively communicate orally with high level officials.							
5. Skill in written communication.							
6. Skill in working with individuals of various racial and ethnic backgrounds.							
7. Ability to organize work, establish priorities and accomplish work within time constraints.							
8. Ability to apply professional judgement in technical matters.							
9. Supports policy decisions and organizational goals.							
10. Ability to work with minimal supervision.							
11. Ability to adjust to change, work pressure, or difficult situations without undue stress.							
12. Ability to develop, manage, and track highly complex projects.							

Signature of Evaluating Supervisor: ______________________ Date: ________

[redacted]

☐ Male ☒ Female

8 Home Phone
Area Code [redacted] | Number [redacted]

9 Work Phone
Area Code [redacted] | Number | Ext [redacted]

10 Were you ever employed as a civilian by the Federal Government? If "NO" go to 11. If "YES", mark each type of job you held with an "X".

☐ Temporary ☐ Career-Conditional ☒ Career ☐ Excepted

What is your highest grade, classification series and job title?

GM-15

Dates at highest grade: FROM 11/86 TO 5/88

11 Do you have any applications for Federal employment on file with the U.S. Office of Personnel Management? If "NO", mark here ☒ and go to 12. If "YES", write below and continue in 47 the information for each application: (a) the name of the office that has your application, (b) the title of the job, (c) the date of your Notice of Results, and (d) your rating.

AVAILABILITY

12 When can you start work? (Month and Year)
immediately

13 What is the lowest pay you will accept?
Pay $ ________ per ________ OR Grade 15

14 Are you willing to work:

	YES	NO
A In the Washington, D.C., metropolitan area?	X	
B Outside the 50 United States?		X
C Any place in the United States?		X
D Only in (list the location(s))		

			YES	NO
15	Are you willing to work:	A 40 hours per week (full-time)?	X	
		B 25-32 hours per week (part-time)?		X
		C 17-24 hours per week (part-time)?		X
		D 16 or fewer hours per week (part-time)?		X
		E In an intermittent job (on-call/seasonal)?		X
		F Weekends, shifts, or rotating shifts?		X
16	Are you willing to take a temporary job lasting:	A 5 to 12 months (sometimes longer)?		X
		B 1 to 4 months?		X
		C Less than 1 month?		X
17	Are you willing to travel away from home for:	A 1 to 5 nights each month?		X
		B 6 to 10 nights each month?		X
		C 11 or more nights each month?		X

THE FEDERAL GOVERNMENT IS AN EQUAL OPPORTUNITY EMPLOYER

MILITARY SERVICE AND VETERAN PREFERENCE

18 Have you served on active duty in the United States Military Service? *If your only active duty was training in the Reserves or National Guard, answer "NO".* If "NO", go to 22. YE X

19 Were you honorably discharged from the military service? *If your discharge was changed to "honorable" or "general" by a Discharge Review Board, answer "YES". If you received a clemency discharge, answer "NO".* If "NO", explain in 47. X

20 Did you or will you retire at or above the rank of major or lieutenant commander? ☐

21 List the dates, branch, and serial number for all active duty service.

FROM	TO	BRANCH OF SERVICE	SERIAL NUMB
10/66	8/69	U.S.N	[redacted]

22 Place an "X" in the box next to your Veteran Preference claim. Mark only o
See the instructions for eligibility information.

- ☐ 1 NO PREFERENCE
- ☐ 2 5-POINT PREFERENCE—You must show proof when you are hired.
- 10-POINT PREFERENCE—If you claim 10-point preference, you must c a Standard Form 15, which is available at any Federal Job Information **ATTACH THE COMPLETED SF 15 TO THIS APPLICATION, TOGETHER W PROOF REQUESTED IN THE SF 15.**
- ☐ 3 Non-compensably disabled or Purple Heart recipient.
- ☐ 4 Compensably disabled (less than 30%).
- ☐ 5 Spouse, widow(er), or mother.
- ☐ 6 Compensably disabled (30% or more).

25 Did you graduate from high school? If you have a GED high school equivalency or will graduate within the next nine months, answer "YES".

YES ☒ If "YES", give month and year of graduation: 6/64

NO ☐ If "NO", give the highest grade you completed:

26 Write the name and location (city and state) of the last high school you attended: John Glen H.S., E. Northport, N.Y.

27 Have you ever attended college or graduate school? YES ☒ NO ☐ If "YES", continue with 28. If "NO", go to 31.

28
NAME AND LOCATION (city, state and ZIP code) OF COLLEGE OR UNIVERSITY. If you expect to graduate within nine months, give the month and year you expect to receive your degree	MONTH AND YEAR ATTENDED From	To	NO. OF CREDITS COMPLETED Semester hours	OR Quarter hours	TYPE OF DEGREE (e.g. B.A., M.A.)	YEAR OF DEGREE
1) Northern Virginia Community College	1974	1976			A.S.	76
2) American University	1976	1978			B.S.	78
3) Antioch University	1979	1980				

29
CHIEF UNDERGRADUATE SUBJECTS Show major on the first line	NO. OF CREDITS COMPLETED Semester hours	OR Quarter hours
1) Sociology	45	18
2) Psychology		21
3)		

30
CHIEF GRADUATE SUBJECTS Show major on the first line	NO. OF CREDITS COMPLETED Semester hours	OR Quarter hours
1) Legal Studies/Public	20	
2) Service Law		
3)		

31 Have you completed any other courses or training related to the kind of jobs you are applying for (for example, trade, vocational, Armed Forces, or business)? YES ☐ NO ☐ If "YES", give the information requested below. (More courses? — use a sheet of paper) If "NO", go to 32.

MONTH AND YEAR TRAINING COMPLETED	TOTAL CLASSROOM HOURS	SUBJECT(S)	NAME AND LOCATION OF SCHOOL City, state and ZIP code if known	CERTIFICATE, DIPLOMA (if any)
1) 1991	43	Law	George Mason Law School	Law
2) (Projected)			Specializing in Public Service Law	
3)			(e.g. EEO, Labor, Constitutional,)	

SPECIAL SKILLS, ACCOMPLISHMENTS AND AWARDS

32 List your special qualifications, skills or accomplishments that may help you get a job. Some examples are: skills with machines; most important publications (do not submit copies); public speaking and writing experience; membership in professional or scientific societies; patents or inventions; etc.

See Attached

33 How many words per minute can you: TYPE? | TAKE DICTATION? Agencies may test your skills before hiring you.

34 List job-related licenses or certificates that you have, such as: registered nurse; lawyer; radio operator; driver's; pilot's; etc.

LICENSE OR CERTIFICATE	DATE OF LATEST LICENSE OR CERTIFICATE	STATE OR OTHER LICENSING AGENCY
1) Real Estate		Virginia
2)		

35 Do you speak or read a language other than English (include sign language)? Applicants for jobs that require a language other than English may be given an interview conducted solely in that language. YES ☐ NO ☐ If "YES", list each language and place an "X" in each column that applies to you. If "NO", go to 36.

LANGUAGE(S)	CAN PREPARE AND GIVE LECTURES Fluently	With difficulty	CAN SPEAK AND UNDERSTAND Fluently	Passably	CAN TRANSLATE ARTICLES Into English	From English	CAN READ ARTICLES FOR OWN USE Easily	With difficulty
1)								
2)								

36 List any honors, awards, or fellowships you have received. For each, give the year it was received.

See attachment

Performance/Academic Awards

Performance

Special achievement award	1989
Outstanding performance rating	1988-1989
Special achievement award	1988
Outstanding performance rating	1987-1988
Special PCMI commendation and cash award	1987
Outstanding performance rating	1986-1987
Outstanding performance rating	1983-1984
Outstanding performance rating	1979-1980
Outstanding performance rating	1978-1979
Outstanding performance rating and superior performance award	1977-1978
Navy Meritorious Civilian Service Award	1976
Outstanding performance rating	1976-1977
Outstanding performance rating and superior performance award	1975-1976
Outstanding performance rating and superior performance award	1974-1975
Outstanding performance rating and superior performance award	1973-1974
Outstanding performance rating and superior performance award	1972-1973

Academic Awards/Honors

Semi Finalist, Moot Court Competition George Mason University Law School	1989
Graduate Summa Cum Laude American University	1978
Recipient, Presidential Scholarship for Academic Achievement, American University	1976-1978
President, Phi Theta Kappa (local chapter) National Honor Society of Junior Colleges	1975-1976

Office of Mgmt. Improvement, A.S. PMB [redacted]	Salary or earnings Starting [redacted] Ending	Place of employment City State Washington, D.
Exact title of your job Management Analyst	Your immediate supervisor Name [redacted] Area Code Telephone Number	Number and job titles of any employees supervised None
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-343-14	Your reason for leaving promotion

Since May 1988 to the present I have been serving as a management analyst in the Office of the Secretary, Division of Directives and Regulatory Management. A complete description of my duties and responsibilities in this position is contained herein.

In addition to my primary position, I serve as an EEO Counselor for the Office of the Secretary. In this role, I perform a range of duties in an effort to resolve both individual and class based allegations of discrimination. My responsibilities include; informing both management and the complainant of their rights within the EEO processing system, assessing the facts presented in terms of theories of discrimination and EEO legal constructs, facilitating communication and negotiations directed at a resolution of the issues. Where resolution is effected, I am responsible for crafting a resolution agreement for signature by all parties to the action.

As a result of my extensive background in EEO and my legal training, I also serve as a mentor to newly appointed EEO counselors. This involves ensuring that they receive adequate training and guidance in their initial role as counselors. When they encounter complex issues, or reach an impasse in their attempts at resolution, I intercede by providing both advice and support.

To effectively perform as an EEO Counselor necessitates a thorough knowledge of EEO and personnel policies and procedures, negotiating skill, and the ability to craft workable solutions to a variety of employment issues.

Significant Accomplishments

Since FY-1989 I have been assigned five EEO complaints, four individual and one class action. In each case, a resolution was achieved resulting in significant savings for the Department in both direct and indirect costs.

BEST AVAILABLE COPY

Office of the Secretary [redacted]	Salary or earnings Starting $ per Ending [redacted] year		Place of employment City Washington, D State
Exact title of your job Acting Program Director CASU Interagency Staff	Your immediate supervisor Name [redacted]	Area Code Telephone Number [redacted]	Number and job titles of any employees supervised 10 Senior analysts, 1 cle
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion 5/10/87 (temporary GS-15)		Your reason for leaving

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and pa or personnel and budget) write the approximate percentage of time you spent doing each.

As Acting Director of the Cooperative Administrative Support Unit (CASU) Interagency Staff, I have overall executive responsibility for administering the program. The position reports to the CASU National Board of Directors, a sub-group of the President's Council on Management Improvement (PMCI).

CASUs are an innovative means for providing administrative services that are commonly needed by federal agencies in multi-tenant buildings or complexes. The program focuses on improving productivity by achieving economies of scale and enhancing service quality. Within broad national policy guidelines, local initiative and management are stressed.

Major Duties and Responsibilities

Manages an Interagency Staff of high level analysts on assignment from PCMI member agencies. This involves providing leadership in establishing goals and objectives, and making determinations on organization, staffing, assignments, and operating methodologies.

Markets the program to senior federal officials at the field and headquarters levels, taking into consideration sites and major agencies that have been targeted for development. Provides briefings for Federal Executive Boards and other groups. Oversees the organization and conduct of a national CASU conference.

Identifies and resolves programmatic issues and conflicts affecting the establishment and operation of CASUs. Engages, either directly or through the National Board of Directors, senior departmental and agency officials to secure support for the program and address problems that are often unique.

Provides briefings and advice to the National Board of Directors, and ensures that policies and directives of the Board are implemented.

Performs major duties and responsibilities of the Head of Site Operations (next page).

Significant Accomplishments

o Doubled the number of operational CASUs from two to four; six more CASUs are on target to begin operations by July 1987.

o Established management planning and tracking processes to target future CASU sites; make optimum use of Interagency Staff members; and systematically identify and resolve problems impeding the establishment of CASUs.

[redacted]	Sta[redacted] year Ending year	City Washington State D. C.
Exact title of your job Head of Site Operations CASU Interagency Staff	Your immediate supervisor Name [redacted] Area Code Telephone Number	Number and job titles of any employees supervised Team of ni senior analysts
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-343-15 (temporary)	Your reason for leaving Appointment as Acting Program Di

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I serve as the Head of Site Operations for the Cooperative Administrative Support Unit (CASU) program. In this capacity I am responsible for the planning and development of CASU sites nationwide; assignment of CASU staff to program sites and special projects; continued monitoring of program progress at CASU sites; resolution of complex issues that have potential for national impact and/or are impeding achievement of CASU program objectives; and the development of CASU program policies/procedures for consideration by the CASU National Board of Directors.

Major Duties and Responsibilities

Directs the activities of an interagency team of nine senior analysts in the development and implementation of CASU sites. This includes: development of a training and orientation program for new staff; identification of potential CASU sites and assignment of staff; review of all site operations, including all plans and materials; and identification and resolution of policy issues that necessitate involvement at the national headquarters level.

Reviews all CASU study reports to ensure appropriate methodologies were utilized, and the cost benefits of a CASU consolidation were appropriately addressed. This includes an indepth analysis of each study plan to ensure the approach is consistent with recognized management analysis concepts and the established national program guidelines.

Communicates effectively to top level officials at both the field and national headquarters level, ensuring the CASU program is well presented and that the benefits of agency participation are clearly addressed.

Develops and presents position papers on highly complex interagency issues covering agency wide administrative programs to PCMI members and the CASU National Board of Directors. Position papers address issues having a national impact and are comprehensive and contain fully developed workable options.

On an ad hoc basis serves as coordinator for major concerns of the program director. As appropriate, carries out "troubleshooting" and special assignments requiring the highest degree of tact and discretion.

Serves as Acting Director in the absence of the Director.

BEST AVAILABLE COPY

Significant Accomplishments

Developed a training and orientation seminar for new CASU interagency staff members and for field personnel involved in the planning and implementation of a CASU program. The seminar is conducted quarterly at the Chicago site to enable participants to view a CASU in operation. The seminar includes briefings by an OMB representative, Chairman of the Tenant Board of Directors, Lead Agency head, study group members and the CASU Director. The session is structured to facilitate the exchange of information and approaches from different sites around the country and to address any program issues that arise.

Instituted a bi-monthly site operations report to be used as a tracking mechanism for monitoring the progress at CASU sites nationwide and to provide an historical record of the events at each location, emphasizing issues identified and action taken to achieve resolution.

Office of the Secretary [redacted] Washington, DC 20240	Salary or earnings Starting [redacted] year Ending [redacted] year	Place of employment City Washington State D.C.
Exact title of your job CASU Site Coordinator	Your immediate supervisor Name [redacted] Area Code Telephone Number	Number and job titles of any employee supervised
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-343-14	Your reason for leaving Advancement

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I serve as the Department's representative to the President's Council on Management Improvement working directly on the interagency staff for the Cooperative Administrative Support Unit (CASU) Program. The CASU program is a PCMI initiative designed to promote increased productivity and improved levels of service in the provision of administrative functions. As a site coordinator my principle role is to work with agencies in multi tenant federally occupied buildings to promote the consolidation of selected administrative functions. This involves: organizing a local Tenant Board of Board of Directors comprised of the heads of tenant agencies; guiding the study and analysis of diverse administration functions utilizing a cost/benefit approach in determining the feasibility of consolidation of services; development of an implementation plan addressing all actions necessary to effect full operation of the CASU; negotiation of interagency agreements and issues; and development of a charter proposal for the CASU to be presented for approval by the CASU National Board of Directors.

Major Duties and Responsibilities

Conducts studies of highly diverse administrative functions, considering a wide range of organizational, policy, and geographical issues requiring detailed analyses of those functions and of their relationships to the management and organizational systems of the participating agencies.

Identifies and analyses potential issues that could hinder development of a CASU site and formulates workable options to achieve program objectives.

Assist local tenant agencies in the implementation of selected administrative functions, addressing varied organizational, financial, and procedural issues to determine the most cost efficient/effective methods of service provision under the CASU.

Facilitates the effective negotiation of interagency agreements between the CASU lead agency and participating agencies. This involves the need to address complex financial and budgetary issues, considering the unique systems and methods of operation within each of the participating agencies.

Effectively communicates the goals and objectives of the CASU program to federal managers and executives at potential CASU sites. Keeps the CASU National Board of Directors fully apprised of the progress at CASU sites, and determines what policy issues should be elevated to the national agency headquarters for resolution.

Significant Accomplishments

Successfully facilitated the development and implementation of the Chicago CASU, the second and largest CASU site to become operational. As one of the first sites to become operational, there were few models/examples to draw upon during the entire process. As a result, I worked closely with tenant agencies in the development of service studies, implementation/operational plans, and the charter proposal. The material developed during the course of the Chicago CASU project has provided ready models that have been effectively utilized at other CASU sites.

Office of the Secretary 18th and F. St., N.W. Washington, D. C. 20240	[redacted] year year	Washington D.C.
Management Analyst	[redacted] [redacted]	N.A.
	GS-343-14	Detail to CASU Interagency St

In this position I perform a variety of assignments, including studies of organization structures, policies, and procedures, and program and administrative functions. Studies conducted generally have Departmentwide impact and frequently have application both in headquarters and the field. Particular emphasis is placed on improvement of delivery of Interior services. Assigned tasks are normally the result of specific problems which require analysis of organization structure, evaluation of program effectiveness and use of manpower resources, and development of management information systems.

Major Duties and Responsibilities

Performs studies generally having Departmentwide scope and which may involving interfacing with other Federal agencies or State or local governments. Responsibilities include survey planning, fact finding , analysis, development of recommendations, report preparation, oral presentation and accomplishing assigned work within established project time schedules and/or budgets.

Participates with senior officials in the Office of the Secretary to evaluate operational programs. The incumbent studies, reviews, analyzes, and makes recommendations having Departmentwide impact for modifying programs and operations of the Department.

Plans, develops or adapts information and administrative systems to improve management decision making and control, staff utilization and productivity. This requires coordinating and conducting appropriate research and pilot projects, conducting orientation and training sessions, and providing technical and planning assistance to offices within the Office of the Secretary and occasionally Bureaus/Offices.

Researches and prepares issue papers or position papers on complex topics. This requires fact finding, analysis and development of concepts, and presentation of persuasive arguments for changing existing programs and/or policies or establishing new programs and/or policies.

Significant Accomplishments

Designed a methodology for studying the impact of major information collections on the public. This study was conducted pursuant to the Paperwork Reduction Act which requires federal agencies to minimize the paperwork burden on the public while maximizing the usefulness of the information collected.

Significant Accomplishments continued

Conducted the first comprehensive study of a major information collection which included an indepth analysis of the relevant statutes and the Department's regulations to identify sections of the information collection not based in statute, development of survey instruments used in structured interviews with representatives of industry, national organizations, and program specialists within the Department, and extensive research into highly complex and technical issues. The study report contained specific recommendations on; how the collection instrument can be streamlined; areas where duplicative information requests can be eliminated; and a process to calculate and validate the information burden estimate.

Asst. Director, Human Resources Div. GM-88-01

☐

Dept of Interior 18th and C. Sts. Washington, D. C.	From 1/84 To 9/85 Starting [redacted] year Ending [redacted] year	40 City Washington State D.C.
Special Emphasis Program Manager	[redacted]	prof. cler.
	5/80 GM-160	reassignment to new career series

In this position I serve as the Department's Special Emphasis Program Manager responsible for the development of Departmentwide policies and programs designed to enhance the employment and advancement of and women. In this capacity I am required to have extensive an thorough knowledge of all relevant statutes, court decisions, and goverment regulations that impact on equal employment and personnel issues.

Major Duties and Responsibilities

Plans and directs the activities of the Department's Special Emphasis Program, keeping fully apprised of any issues that could impede the program's mission, and develop workable options/solutions as appropriate, to ensure that the program's goals and objectives are achieved.

Develops Departmental policies and procedures designed to facilitate the effective recruitment and development of minorities and women. Reviews all proposed policies and procedures by Bureau EEO and personnel offices and other offices within the Department that have an impact on the equal employment and advancement opportunities of minorities and women.

Design and monitor career development programs to enhance advancement opportunities for minorities and women. Keeps abreast of new theories and approaches relating the human resource issues.

Leads studies to identify existing utilization and underutilization of human resources within the Department with emphasis on minorities and women. This includes the development of work force profiles that are consistent with recognized statistical methods. In conjunction with personnel, approves human resource planning activities within the Office of the Secretary.

Serves as Chairperson of the Department's Special Emphasis Program Council that is composed of Special Emphasis Program Managers from each of the ten Bureaus and representatives from personnel, labor management relations, employee development, and information/resource planning. Establishes a Council plan of action to focus on policies and program that have a Departmentwide impact.

Advises the Director on issues arising from EEO complaints, and effectively negotiates with all affected parties where very complex or sensitive complaint situations arise in an effort to achiieve a satisfactory resolution.

Significant Accomplishments

Developed the first comprehensive policy statement on sexual harassment for the Department which served as a model for the Department's Bureaus/Offices.

Developed an indepth evaluation model for the Department's Special Emphasis program utilizing both quantitative and qualitative measurements of program effectiveness.

Developed the first training course for Bureau/Office Special Emphasis Program managers.

Conducted a Departmentwide study of the training provided to managers and supervisors on EEO and human resource management to determine the degree of consistency in the frequency and content of the training within each of the Bureaus and Offices.

Designed and monitored the administration of the Department's first Women's Executive Leadership Program. This included developing the selection criteria, designed course curricula, periodically reviewing the progress of selectees, and assessing the effectiveness of the program in relation to its goals and objectives.

☐ Name and address of employer's organization (include ZIP Code, if known) E.E.O.C. 2401 E. St. Washington, D. C. 20506	Dates employed (give month and year) From 11/81 To 1/84 Salary or earnings Starting [redacted] year Ending $ year	Average number of hours per week 40 Place of employment City Washington, D. State
Exact title of your job Project Manager	Your immediate supervisor Name Area Code Telephone Number	Number and job titles of any employees you supervised 4 prof
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GM-160-14	Your reason for leaving Career opportunit

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I serve as the project manager on the A-11 project, and as the senior technical expert for the Office of Interagency Coordinat which, pursuant to Executive Order 12067, functions as the lead office for coordination of equal employment opportunity programs for the federal government. This office has the responsibility to develop and administer standards to ensure the effective coordination and regulation of EEO policies, programs, and procedures (e.g. record keeping requirements, employment policies and procedures, training and development programs). In this capacity I am required to have extensive and thorough knowledge of relevant statutes, court decisions, and EEO and personnel regulations which impact on civil rights and EEO issues.

Major Duties and Responsibilities

Serves as project manager on the A-11 project in conjunction with the Office of Management and Budget's Civil Rights Office. As manager of this project I coordinate the review and analysis of federal agencies civil rights and EEO budgets with OMB. The purpose of this project is to develop a system to measure the effeciency and effectiveness of EEO program activities. This assignment has involved establishing short and long term tasks focused on achieving specific objectives. These have included; formulating a method of analysis for the A-11 schedule, developing evaluative criteria for assessing comparative data on agency activities, and designing a research model, with appropriate statistical techniques to test relationships between program expenditures and the results of specific program activities. I am also responsible for providing direction to an interdisiplinary project team comprised of labor market economists, budget analysts, and equal opportunity specialist

Has lead responsibility in the review and analysis of all directives and other issuances concerning federal affirmative action and EEO programs Specifically, this includes the review of management directives on affirmative action program requirements and program evaluations. This necessitates a working knowledge of federal EEO statutes, federal personne policies and procedures, and program evaluation techniques.

Leads studies on employment trends and evaluates labor market data assessing their relevance to patterns of discrimination in the work force.

Develops cooperative programs, including memoranda of understanding between agencies, designed to improve the coordination of equal employment opportunity compliance and enforcement.

Represents the Commission in interagency conferences and negotiations with agency officials and high level administrators. Provides the highest level methodological and technical guidance and advice to Federal agencies.

Is delegated to speak for the Director, Chairman, and Commission in high level policy meetings regarding all technical aspects applicable to this phase of the EEOC's program. Confers with outstanding and well known specialists in the field of human resource administration.

Specific Accomplishments

Developed the first comprehensive report issued by the Commission on federal EEO program expenditures and budgets. This report contained specific recommendations some of which have been adopted by OMB and have led to revisions in the reporting process.

Formulated and tested a research model applying A-11 budgetary and programmatic data which examined the relationship between expenditures in internal EEO programs and changes in minority representation in the federal work force over a ten year period.

Commission (Headquarters)	Salary or earnings Starting [redacted] Ending	Place of employment City Arlington, Va. State
Exact title of your job Asst. to the Director Office of Govt. Employment	Your immediate supervisor Name Area Code Telephone Number [redacted]	Number and job titles of any employees supervised 3 prof. 1 cler.
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-14	Your reason for leaving career opportuni

In this position I serve as the Assistant to the Director of the Office of Government Employment for Policy Development and Program Planning. This office has a staff of 63 professionals and support personnel that includes ten field units located in each of the federal regions. The primary mission of this office is to develop, implement, and evaluate the EEO affirmative action plans and programs of federal agencies. This position requires a comprehensive knowledge of EEO and personnel laws, regulations, and practices to include both affirmative action and the EEO complaint system.

Major Duties and Responsibilities

Develops all policies and programs on federal affirmative action for submission to the Chairman, EEOC. This includes design of the affirmative action reporting systems and procedures to be used in the assessment of federal affirmative action programs.

Represents the Office of Government Employment (OGE) at Commission meetings, and at all management planning and decision making sessions involving EEO and affirmative action issues.

Keeps the Director, OGE on trends and recent developments in EEO case law that have particular implications for public employers; and makes recommendations concerning the need for policy or program changes, as appropriate.

Serves as the central point of contact within the Commission for all Congressional inquiries on EEO and affirmative action issues. Develops the management plan for the OGE which involves the identification of major office projects; staffing requirements, workload and performance indicators, and establishment of performance standards for OGE management. This plan is designed based on MBO principles and serves to ensure that the office meets the goals and objectives of the Commission regarding EEO and federal affirmative action.

Significant Accomplishments

Developed and presented the first affirmative action planning course based on the EEOC's first management directive (MD-702) on federal affirmative action.

Developed the first Federal Affirmative Action Compliance Guide to be utilized by EEOC in the conduct of EEO reviews of federal agencies.

Participated in the development of the first multi year affirmative action program instructions, MD-707.

Equal Employment Opportunity Commission (Headquarters)	Salary or earnings Starting [redacted] ar Ending ear	Place of employment City Washington, D. State
Exact title of your job Deputy Director Fed. Affirm. Action Div.	Your immediate supervisor Name [redacted] Area Code Telephone Number	Number and job titles of any employees supervised
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-13	Your reason for leaving Career opportunity

In this position I serve as the Deputy Director for the Federal Affirmative Action division within the Office of Government Employment, (OGE). This division has a headquarters staff of seven professionals and two clerical support personnel, and approximately 45 field staff located within ten federal regions.
The primary mission of the office is to develop, implement, and monitor policies and procedures for the receipt and review of federal affirmative action plans and programs in accordance with Title VII of the Civil Rights Act of 1964 and Section 501 of the Rehabilitation Act of 1973, as amended.

Major Duties and Responsibilities

As Deputy, I am responsible for discharging all of the day to day staff and operational functions of the office. This includes providing guidance and direction for the headquarters and field staff, determining program priorities and providing guidance to staff on all ongoing activities within the office consistent with the policies of the Director.

Serve as expert on the most complex and unusual matter concerning federal affirmative action plans and programs, and provides leadership, guidance, and policy interpretation to federal agencies on affirmative action programs and plans nationwide.

Develops policies and procedures on all aspects of the federal affirmative action program to include plan design and development, program evaluation, and training and orientation programs.

Reviews and analyzes data on EEO complaints on a government wide basis to identify patterns of systemic discrimination and barriers to EEO. Based on this analysis recommends policy and procedural changes to the Commission.

Represents the Commission at meetings and conferences and frequently serves as keynote speaker at EEO awareness programs. Prepares responses on all Congressional inquiries concerning the federal affirmative action program.

Significant Accomplishments

Developed the initial draft for MD-702 which introduced the affirmative action planning process and a step by step methodology for use in plan development. This original concept was approved by the Commission for the federal EEO program and provided the framework for the current federal affirmative action program.

Naval Air Systems Command Naval Air Systems Command Headquarters Washington, D.C. 20361	Starting [redacted] year Ending [redacted] year	City Arlington State Virginia
Exact title of your job Deputy EEO Officer	Your immediate supervisor Name [redacted] Area Code Telephone Number	Number and job titles of any employees supervised 6 prof. 2 cler.
Kind of business or organization (manufacturing, accounting, social service, etc.) Dept. of Defense	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion 6 June 1976- 1979	Your reason for leaving career advance

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this Position I serve as the Deputy EEO Officer for the Naval Air Systems Command which encompasses both headquarters and field responsibility for a total of approximately 42,000 employees in twenty eight activities throughout the Continental U.S. and Hawaii, (there are approximately 20,000 graded (GS) and 22,000 ungraded (WG)). Since January 1978(and prior to that in the absence of the Deputy EEO Officer) I have been serving as the Assistant Deputy EEO Officer. In this capacity I have been responsible for the administration of the EEO Program at headquarters which consists approximatley 2,000 civilian and military employees; with direct contact of three professionals and two clerical support. This position involves direct contact with Commander, Naval Air Systems Command and the authority to contact officials the agency level, Civil Service Commission, and other agency program/management officials e.g. Director EE(for the Federal Governemnt, Head, General Counsel, etc.

Major Duties include:

Formulation of policy and programs designed to assist in the effectiv administration of the EEO program. This includes the development of an annual affirmative action plan for headquarters based on an indepth assessment and problem identification, the development of an annual operating budget, a systematic analysis of the total EEO program effort on a semi-annual basis, and the annual review of designated field affirmative action plans to ensure regulatory compliance and to monitor how effectively objectives are being met and the rate of progress.

Research and development of special recuritment and training programs designed to complement our affirmative action goals by correcting the underrepresentation of minorities and women within specified occupations ar grade levels.

Provide policy guidance and direction to field EEO officials and part time EEO officials at headquarters (Including EEO counselors, Special Emphasis committees, etc.)

Advise the commander, Naval Air System Command, Department Heads, and other management officials during the informal and formal stage of the EEO complaint process. This includes efforts at negotiating an informal resolu tion, and where discrimination is evident, recommending appropriate redemia action.

Conduct onsite inspections of our field activities EEO programs to ensure regulation compliance and to recommend appropriate actions to correc any program deficiencies.

Specific Accomplishments:

Spring 1976- I drafted the first comprehensive instruction on EEO prog administration which spoke to such policy issues as selection criteria for part time EEO officials, the minimum staffing requirements for full time EE offices, and the roles responsibilities of personnel, supervisors, and managers, and EEO officials.

Fall 1976 - To increase the training opportunities for minorities and women within the organization, I initiated a program with the local community college, NVCC. The college taught three college level courses onsite during and after working hours, and interested employees were afforded an opportunity to attend and gain college credits.

Spring 1977- Through indepth analysis of our headquarters staffing and recruitment procedures a disparity in the ratio of minority to non-minority students being hired for the summer college program was identified. To correct this disparity I developed the Undergraduate/Graduate Studies program. Utilizing a Schedule A appointment authority which allowed temporary employment for students working in an area related to their major, over twenty two students, mostly engineering and business majors, were hired. The long term goal of the program is to provide the students with sufficient specialized experience to render them more competitive on the employment registers.

Summer 1977- In an effort to broaden our recruitment pool, I initiated the "Occupational Outlook" project. This was a first attempt to bring together local university professors, guidance counselors, recruiters, and EEO officials in an open forum to exchange ideas and identify short and long range staffing needs.

Fall 1977 - In conjunction with a graduate student intern, I developed a model skills utilization system for implementation within both the headquarters organization and the field. This system enabled the direct identification of underutilized employees whose skills qualified them for a different career field. In addition, the system was designed to identify future training needs, detect areas where career counseling was needed, and assist in the planning for upward mobility positions.

Spring 1978- I organized the annual Equal Employment Opportunity conference for the Naval Air Systems Command. The conference was attended by approximately 80 EEO officials and involved considerable planning to ensure the program was current, informative, and interesting.

Washington, D. C. 20361	Starting [redacted] year Ending [redacted] year	City Arlington, Va. State
Exact title of your job Fed. Women's Prog. Mgr.	Your immediate supervisor Name Area Code Telephone Number [redacted]	Number and job titles of any employees you supervised 1 prof.
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-160-11	Your reason for leaving promotion

In this position I serve as the Federal Women's Program Manager for the Naval Air Systems Command (NAVAIR) and the Deputy EEO Officer for NAVAIR headquarters. I am responsible for providing policy and program guidance to both headquarters and field operations (population over 42,000).

Major Duties and Responsibilities

Recommend policies and programs to promote the advancement of women within the Naval Air Systems Command. This includes conducting studies involved with problem identification and assessment, assisting in the development of the annual affirmative action plan to ensure regulatory compliance and to monitor the progress related to affirmative action objectives for reports to higher authority.

Develop and conduct management/supervisory training and orientation programs designed to increase EEO awareness and define management's roles and responsibilities within the EEO program.

Research successful recruitment and training programs within other Navy and governmental agencies and recommend appropriate alternatives to the existing efforts within the organization in an effort to increase the representation of minorities and women.

Conduct onsite evaluations at our field activities to ensure compliance with EEO policies and procedures.

Work directly with part time EEO officials at headquarters, (e.g. EEO counselors) to provide them with the current regulations and procedures so that they can effectively carry out their assignment.

Significant Accomplishments:

Spring 1975 - In an effort to provide lower level employees with a greater opportunity for career counseling and advancement I developed a position paper stressing the importance and justification for hiring a full time career counselor. As a result, the first full time EEO counselor within Navy was hired by NAVAIR.

Summer 1975 - I served as the point of contact on upward mobility for EEO, and in this capacity I assisted in program development, and establishment of the selection procedures for the upward mobility program.

Fall 1975 - I established the first Federal Women's Program information center within the Navy. This center enabled employees to obtain the latest information on issues and topics of interest to working women, e.g. current listings of day care facilities.

Naval Air Systems Command Hq. Washington, D. C. 20361	Star [redacted] year Ending [redacted] year	City Arlington, Va. State
Exact title of your job Federal Women's Program Manager	Your immediate supervisor Name Area Code Telephone Number [redacted]	Number and job titles of any employees supervised none
Kind of business or organization (manufacturing, accounting, social service, etc.)	If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion GS-9-160	Your reason for leaving promotion

In this position I serve as the Federal Women's Program Coordinator for the Naval air Systems Command which encompasses both headquarters and field responsibility. I also serve as the Assistant to the Deputy EEO Officer and in this capacity assist in the formulation of policy directives, performance of special studies relating to the employment and advancement of minorities and women, and in the absence of the Deputy EEO Officer, I ensure the continuity of the office is maintained.

Major Duties and Responsibilities

Prepare initial drafts of policy guidance and directives concerning the EEO and affirmative action program and designed to enhance the representation of minorities and women.

Review the EEO programs of our field activities through onsite inspections, analysis of affirmative action plans, and the monitoring of discrimination complaint patterns.

Represent NAVAIR at various meetings, conferences, and other activities related to EEO and civil rights to stay current on EEO case law, and other policy developments to better advise management and the Deputy EEO Officer.

Work closely with personnel and training officials to ensure that existing policies are consistent with our EEO goals and objectives, and where appropriate, recommend alternative approaches.

Provide guidance and assistance to part time EEO counselors.

Significant Accomplishments

Spring 1974 - In an effort to increase the representation of minorities and women in the engineering and scientific fields, I researched and developed the Centralized Pre-Coop/Cooperative Education program. This program was unique because it involved a contractual agreement between NAVAIR and a consortium of predominately black engineering colleges. Under this agreement, the consortium would recruit students for entrance into an engineering program. The students would rotate between the work site and their college and receive their full tuition, books and fees for the first four semesters. The program was ultimately adopted by the Chief, Naval Material Command and awarded an annual budget of $5,000,000. There were over 250 students entering the first phase of the program in 1975.

ADDITIONAL WORK EXPERIENCE BLOCKS IF NEEDED

☐ Name and address of employer's organization (include ZIP Code if known)
Naval Air Systems Command
Jefferson Plaza Bldg. #1
Arlington, Va.

Dates employed (give month and year) From 2/18/73 To 3/31/74

Average number of hours per week 40

Salary or earnings
Starting [redacted] year
Ending [redacted] year

Place of employment
City Arlington, Va.
State

Exact title of your job: EEO Specialist

Your immediate supervisor Name Area Code Telephone Number [redacted]

Number and job titles of any employees you supervised: None

Kind of business or organization (manufacturing, accounting, social service, etc.)

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: GS-7

Your reason for leaving: promotion

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I served as staff assistant to the Deputy EEO Officer. My job responsibilities included: gathering and analyzing EEO statistics; researching and preparing the numerical goals and timetables reports; conducting training seminars for managers and supervisors emphasizing their roles and responsibilities relative to the Command's EEO program; and drafting all correspondence on program matters.
Accomplishments included: Developing a Public Policy Model for the Bureau of Training, Civil Service Commission, on our Command's Upward Mobility Program and writing and producing a film on upward mobility entitled "Upward Mobility NAVAIR's Way" for distribution by Navy and the CSC.

For Agency Use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code if known)
Naval Air Systems Command
Jefferson Plaza Bldg. #1
Arlington, Va.

Dates employed (give month and year) From 5/72 To 2/73

Average number of hours per week 40

Salary or earnings
Starting $ per year
Ending $ per year

Place of employment
City Arlington, Va.
State

Exact title of your job: EEO Staff Assistant

Your immediate supervisor Name Area Code Telephone Number

Number and job titles of any employees you supervised: None

Kind of business or organization (manufacturing, accounting, social service, etc.)

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: GS-6

Your reason for leaving: Series change

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

I served as the staff assistant to the Deputy EEO Officer. In this capacity I reviewed all directives from higher authority and advised the Deputy concerning any policy implications for our office, prepared all office correspondence, worked closely with the personnel office and training office in the development of upward mobility and other EEO related programs, and gathered and compiled all data necessary for mandatory reports.

For Agency Use (skill codes, etc.)

ADDITIONAL WORK EXPERIENCE BLOCKS IF NEEDED

☐ Name and address of employer's organization (include ZIP Code, if known)
Naval Air Systems Command
Columbia Pike
Arlington, Va.

Dates employed (give month and year) From 9/70 To 5/72

Average number of hours per week 40

Salary or earnings
Starting [redacted]
Ending [redacted]

Place of employment
City Arlington, Va.
State

Exact title of your job: Secretary

Your immediate supervisor
Name [redacted] Area Code Telephone Number [redacted]

Number and job titles of any employees you supervised: None

Kind of business or organization (manufacturing, accounting, social service, etc.)

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion

Your reason for leaving: career advancement

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I served as the secretary for the Quality Assurance Branch. My responsibilities included: typing (from rough drafts to final form) all office correspondence; making all travel arrangements and completion of all travel vouchers, maintained the filing system for the Office; received all visitors; and routed all correspondence to the appropriate action area.

For Agency Use (skill codes, etc.)

☐ Name and address of employer's organization (include ZIP Code, if known)
Naval Air Systems Command
Columbia Pike
Arlington, Va.

Dates employed (give month and year) From 8/69 To 9/70

Average number of hours per week 40

Salary or earnings
Starting [redacted] year
Ending year

Place of employment
City Arlington, Va.
State

Exact title of your job: Clerk Typist

Your immediate supervisor
Name [redacted] Area Code Telephone Number

Number and job titles of any employees you supervised: None

Kind of business or organization (manufacturing, accounting, social service, etc.)

If Federal employment (civilian or military) list series, grade or rank, and the date of your last promotion: GS-5

Your reason for leaving: promotion

Description of work: Describe your specific duties, responsibilities and accomplishments in this job. If you describe more than one type of work (for example, carpentry and painting, or personnel and budget), write the approximate percentage of time you spent doing each.

In this position I provided staff assistance to the administrative assistant for the Office. My duties included; typing both rough and smooth drafts, preparing final correspondence for signature, answering the phone and directi all callers to the appropriate program office, maintaining the filing system for the Office, and keeping all travel records for the branch, ensuring that the division did not exceed its authorized budget.

For Agency Use (skill codes, etc.)

SUPERVISORY APPRAISAL OF DEMONSTRATED PERFORMANCE

NAME OF APPLICANT [redacted] ANNOUNCEMENT# [redacted]

POSITION APPLYING FOR Equal Employment Manager, GM-260-14/15

Please have this appraisal completed by your supervisor and submit it with your SF-171. (If the appraisal is submitted directly by the supervisor, the applicant, upon request will be permitted to review and/or obtain a copy.)

Instructions to Supervisor: This appraisal of performance lists knowledges, skills, abilities and personal characteristics which are important to the position shown above. Based on your personal knowledge, please appraise the applicant's demonstrated performance for each element by checking the appropriate column. A description of each level is provided below.

A = Outstanding: An employee whose performance is consistently of a much higher level than that which is expected in his/her current position and grade level, and whose performance in this factor deserves special commendation.

B = Exceeds Satisfactory: An employee whose performance consistently exceeds normal expectations, but not to the extent described at the Outstanding level.

C = Satisfactory: An employee whose performance meets and may occasionally exceed normal expectations, for this knowledge, skill or ability which are consistent with requirements for the employee's current job classification.

D = Minimally Satisfactory: An employee whose performance occasionally meets the requirements for performance of this knowledge, skill or ability at the level of his/her current series and grade level.

E = Not Observed: not applicable in this position.

ELEMENTS TO BE RATED	CHECK AS APPROPRIATE				
DESIRABLE KNOWLEDGES, SKILLS AND ABILITIES:	A	B	C	D	E
1. Knowledge of the principles, practices, laws, regulations and methods of EEO.	X				
2. Knowledge of personnel policies and practices.	X				
3. Knowledge of affirmative action concepts, program development and evaluation.	X				
4. Skill in verbal and written communications.	X				

NARRATIVE: Please include any other information pertinent to the applicant's qualifications, skills or abilities that may not be adequately expressed by your check marks above. (Attach additional sheets if needed.)

IN WHAT CAPACITY ARE YOU MAKING THIS APPRAISAL?
X Present immediate supervisor ____ Former immediate supervisor
____ Present 2nd level supervisor ____ Former 2nd level supervisor
____ Other (Specify)

[redacted] is my best employee.

PERIOD DURING WHICH YOU SUPERVISED THE APPLICANT From 5/88 To Present

APPRAISER: [redacted] 7-5/90
Signature Date

BEST AVAILABLE COPY

Office of the Secretary and the Other Departmental Offices
Summary Rating Form for Non-SES Employees

Name [redacted] Title/Series/Grade Management Analyst GS-343-14

Appraisal Period: From 7-1-88 To 6-30-89 Office/Division [redacted]

Directions: Complete the following steps if the employee is eligible to receive a rating based on actual performance at the end of the appraisal period. If not, the appraisal period is extended (not to exceed September 30 for PMRS pay purposes) until the employee meets the minimum requirements for appraisal.

1. Documentation. Under Column III of the Performance Planning and Appraisal Form, describe the employee's actual performance in relation to the performance standards for each element.

2. Element Ratings. Assign an element rating which describes the employee's overall performance under the element. Record element ratings on the reverse side of this form.

3. Summary Rating. Convert element ratings to a summary rating using the Summary Rating Conversion Process on the reverse side of this form, then check the appropriate summary rating below.

(✓) Level 5: Outstanding. Performance is of rare, very high quality. As warranted, an Outstanding performer produces an exceptional quantity of work significantly ahead of established schedules or deadlines and with very little supervision.

( ) Level 4: Exceeds Fully Successful. Performance is of unusually good or excellent quality. As warranted, the employee produces a very high quantity of work ahead of established schedules or deadlines and with less than normal supervision.

( ) Level 3: Fully Successful. Performance is of good quality. The employee produces the expected quantity of work and meets deadlines or schedules for completion of work.

( ) Level 2: Minimally Successful. Performance is not "Unacceptable," but needs improvement to achieve the "Fully Successful" level. Supervisory assistance is required at this level of performance. The assistance may include, but is not limited to, closer supervisory reviews, discussions, and correction of work products.

( ) Level 1: Unacceptable. Performance fails to meet established performance standards in one or more critical elements of the employee's position. When performance is "Unacceptable," corrective action must be taken consistent with required procedures.

4. Signatures. Attach the employee's Performance Planning and Appraisal Form to this form, sign and date this form, and send to the reviewing official for approval and signature. (PMRS employees are not informed of the rating until after the servicing personnel office submits all PMRS ratings within OS/ODO to the Assistant Secretary - PBA for approval for performance pay purposes.) After approval is obtained, the rating official meets with the employee to discuss the rating. The employee should also sign and date the form. Send a copy of this form (with a copy of the Performance Planning and Appraisal Form attached) to the servicing personnel office. Retain a copy and give the original to the employee.

[redacted]
[redacted]ing Official's Signature

6/28/89
Date

[redacted]
Reviewing Official's Signature

8/9/89
Date

I certify that this performance appraisal has been discussed with me. I understand that I may dispute this rating in accordance with the OS Performance Appraisal Plan procedures which may be obtained from my administrative contact or personnel office.

[redacted]
[redacted]ployee's Signature

8/10/89
Date

OS 430-G(2)
08/22/88

Senator **Ford**. I might say to my good friend that there are more and more political appointees and fewer and fewer career employees in most all agencies, and it seems to be eroding. And I understand where he is coming from, and hopefully we might be able to work out something here.

Senator Nickles.

Senator **Nickles**. Mr. Chairman, thank you very much, and I apologize to both of the nominees. I missed their opening comments.

I want to address Governor Hayden just for a moment and welcome him to the committee, and tell you, Governor, I look forward to working with you. I am the ranking Republican on the Interior Appropriations Committee and so I will be working with you both, Mr. Schrote and Governor Hayden.

We do a lot of legislating in that committee. We probably should not, but we do. We have amendments that will be pending in that committee dealing with the spotted owl and dealing with a lot of other things that will have your interests.

Where are you from in Kansas, Governor?

Governor **Hayden**. Senator, I am from Atwood. It is a small town about 50 miles east of the Colorado line, in the northwest corner.

Senator **Nickles**. We welcome you.

I will just make a couple of comments. Under your jurisdiction you have a lot of, I am going to say, control over implementing policy dealing with wetlands. I can tell you that four acres of wetlands shut down a $98 million project in the State of Oklahoma for over a year, that the turnpike authority was willing to mitigate that in a ratio of four to one, and yet Fish and Wildlife basically delayed the construction of that project for well over a year through the issuance of a permit.

It cost the turnpike users over $20,000 a day in holding up that project. So that is just one little example. My guess is that every Senator or Congressman could give you two or three.

So there is a lot of power and in some cases, I am going to say, some real abuses in the definition of wetlands. I am sure you are well aware that the Department is working with the Corps and others in trying to come up with a revised manual. Are you aware of that?

I should have brought the manual. It is a joke, the present manual, except it is not very funny. It is not readable, it is not understandable.

Senator **Fowler**. Is this the revised one?

Senator **Nickles**. No, they are working on it.

Senator **Fowler**. The original?

Senator **Nickles**. The original. It is about yea thick [indicating]. I should have brought it. It is kind of entertaining reading, but it is not serious policy except that it does serious damage.

Senator **Ford**. May I just interject here? Your thought of entertainment and mine are somewhat different.

Senator **Nickles**. Well, you have to be in a weird sort of mood to enjoy it. I do not enjoy it, frankly. It is very frustrating. It is very aggravating. And to see that it has caused so much consternation on so many people, whether you are talking about farmers, ranchers, landowners, people who are trying to do some positive things.

And again, I am not talking about people who are trying to devastate our wetlands. I am talking about definition of wetlands, defined by bureaucrats, overzealous but certainly ambiguous regulations, that anyone could determine that any area is a wetland.

We need a little common sense. I think, Governor, that is all I am saying, that we need a little common sense. We need some revisions. We are working on that. You are working or your shop is working on that, and you will be involved, I guess, in presenting that to Congress.

I want you to know that a lot of us have a real interest in making some common sense improvements. We happen to be supporters, a lot of us are supporters, of wetlands. We are very big supporters of Fish and Wildlife, but we also want a little common sense, too.

Have you ever had the opportunity to visit the Wichita Mountains Wildlife Refuge?

Governor HAYDEN. Senator, I have not at this time. I have been to Oklahoma many times. In fact, I was turkey hunting there less than a month and a half ago. But I have not had an opportunity, even though I have been to the Wichita Mountains, I have not had the opportunity to really visit the refuge.

Senator NICKLES. The refuge is the most highly visited refuge in the country. It has about a million and a half visitors per year. Secretary Lujan I think is going to be there in the middle of August, and we would love to have you accompanying us if you can do that. I will give you a formal invitation, but we would like for you to visit it.

It is an area that is beautiful and it could be enhanced significantly, and we hope to be working on that as well. But I invite you to become acquainted with it.

I am assuming that you are somewhat familiar with tall grass prairie?

Governor HAYDEN. Very familiar, Senator.

Senator NICKLES. There has been a little competition between Kansas and Oklahoma in that regard, healthy competition. I am guessing that you are probably aware that the Nature Conservancy has purchased I cannot remember how many thousands of acres in Oklahoma for a tall grass prairie, and so that has happened.

At one time we were talking about doing it through the Park Service. As it has happened now, the Conservancy has it and is establishing it and developing it as a tall grass prairie. I think it is going to be a real asset to both Kansas and Oklahoma and really to the country as well, and so far at no cost to the taxpayer.

So we might be able to work in some type of arrangement where you could see both of those.

Now, I mentioned the spotted owl and I know that when we get to the appropriations bill we are going to have a controversy on that. Maybe we will have one before, I do not know. But I urge you to get involved in that issue because it is a very important issue, particularly for the Northwest. And I would like to think that we could come up with a suitable compromise that would protect the economic interests, the jobs in that area, and also provide some protection to the wildlife as well.

Right now it seems as if everybody is all or nothing and dissatisfied and we are going to cost thousands of jobs or it will cost enormous costs per owl or something. The same thing for the salmon in the same area of the country. So we will be happy to work with you and hopefully come up with some reasonable results, either on legislation or on the appropriation bills, to solve some of those concerns.

I look forward to working with both gentlemen and I congratulate the President for your nomination. I look forward to working with you. Thank you very much.

Thank you, Mr. Chairman.

Governor HAYDEN. Thank you, Senator.

Senator FOWLER. Have we got another five minutes?

Senator FORD. Sure.

Senator FOWLER. Governor Hayden, may I follow up on my friend from Oklahoma. As one of the co-regulators of the Clean Water Act on the wetlands issue, do you at this time have any specific regulatory thoughts on how, in the wetlands debate, how we reconcile the competing economic and environmental interests that it seems that we have not been able to solve in the Congress?

Governor HAYDEN. I do not, Senator, at this time. I would tell you that I do have an extensive background at the State level in this area, and in fact I alluded to before you arrived the fact that I had pushed through the State Legislature permanent funding of the State water plan having to do with water quality and water quantity, and have worked on a number of wetland projects in the State.

And I'm proud to say that most of the controversy has been taken out of those projects, that we have agriculture and we have other competing interests as well as the environmental interests working in a cooperative way.

I hope perhaps we can apply some of that experience in a favorable way to what we might face here at the Federal level. But I'm not familiar enough with the individual Federal projects and programs at this time to offer expertise. But certainly from a background of that sort, I would hope that we could rely on some of that experience to arrive at favorable solutions to the problems that we face nationwide.

Senator FOWLER. Thank you.

On another subject, may I commend you for the Kansas Heritage Trust Fund Act under your leadership. As you probably know, on the Federal level appropriations for historic preservation programs have lagged way behind the need, though we are doing a little bit better.

But I hope that you will consider supporting the creation of an historic preservation trust fund for the Nation along the lines that you did in Kansas. I appreciate your giving that a little thought and attention as you assume your new duties.

Governor HAYDEN. I certainly will look at that, Senator. I know that the Secretary has a deep and abiding interest in history and of course has already put forward some initiatives in Civil War battlefield recognition and preservation and in fact in enhanced budget considerations.

So I know that at the Department we have a number of people at the very highest level who have a deep and abiding interest in the natural history of this Nation and its preservation, and I look forward to working with you in that regard.

Senator FOWLER. I would like that very much. There is no reason for you to know it, but for 8 years I have been working on and have introduced a comprehensive, for lack of a better adjective, set of amendments on historic preservation, strengthening the role of the Federal Government, but also in close conjunction with the States and localities, for the first time extending some real protection to the Indian tribes, which I know the Secretary will be interested in, for the first time denominating some much-needed protection to archaeological sites, as well as the traditional preservation activities.

So I am hoping that, with my friend Chairman Ford and Chairman Bumpers, that we are going to see that come to fruition in the next few months or early next year. So I was delighted when I learned about how much work you had done in strengthening State preservation programs in Kansas.

I hope when things settle down a little bit you will give me a call and we will go to work together.

Governor HAYDEN. I certainly would look forward to that. In fact, the very first site in Kansas that we put in under the Natural and Scientific Areas Act designation was an archaeological site, one which we're extremely proud and are glad that it is now preserved for all time.

Senator FOWLER. Well, I hope it was not Royal Stadium, after all that money they spent. They are acting like they want to become an archaeological site, but maybe they will respond a little later on in the year.

Thank you very much, Mr. Chairman.

Senator FORD. There is some undercurrent of sports here, I think.

I have nothing further. I would like to make one announcement, though, that members submit questions for the record by 5 o'clock today, and staff, so that we can give these nominees an opportunity to expedite their answers so we can get to them in markup.

If there are no further questions, then this hearing is adjourned.

[Whereupon, at 10:59 a.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Information Statements

UNITED STATES SENATE

COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Hayden (LAST) John (FIRST) Michael (OTHER)

Position to which nominated: Assistant Secretary of the Interior for Fish and Wildlife and Parks

Date of nomination: 4/19/91

Date of birth: 16 (DAY) 3 (MONTH) 44 (YEAR)

Place of birth: Colby, Kansas

Marital status: Married

Full name of spouse: Patricia Ann Hayden

Name and ages of children:
Chelsi Kay Hayden (15)
Anne Kelley Hayden (10)

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Atwood High School	1958-62	Diploma	May 1962
Kansas State Univ.	1962-66	B.S.	May 1966
Ft. Hays State Univ.	1971-74	M.S.	May 1974

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

Infantry Company Commander, U.S. Army, 1st Lt.; Honorable Discharge; 1967-1970

Kansas House of Representatives; State Representative; 1972-1986

Executive Director, Rawlins County Promotional Council; 1973-1976

Independent Insurance Agent; E.C. Mellick Agency, Atwood, Kansas; 1977-1986

Governor of Kansas; 1987-1991

Employment record—Continued

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

Infantry Company Commander, U.S. Army; 1st Lt.; Honorable Discharge; 1967-1970

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Military-Bronze Star (OLC) Soldiers Medal,

Army Commendation Medal, Air Medal

Conservation Legislator of the Year (Kansas) 1975 & 1985

Kansas Conservationist of the Year 1988

President's Award by the Nature Conservancy, 1988, for initiating the Kansas Natural Heritage Inventory Program

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Rotary International	1973 to Present	Member
American Legion	1970 to Present	Life Member
Veterans of Foreign Wars	1970 to Present	Life Member
*# Kansas Wildlife & Parks Foundation	1990 to Present	Board Membe
*# Sunflower Mallards	1991 to Present	Board Member

* Non-profit

# Prepared to resign upon confirmation.

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

None

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Yes

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N/A

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

Receipts from interest in family farm estimated to be less than $1,500 annually.

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

None

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

Only those I would have done as Governor of Kansas.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

None. I have been briefed by the Departmental Ethics Officer.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

I will consult with the Office of Governmental Ethics in the Interior Department when possible conflict arises or if an appearance of conflict should arise.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

District of Columbia) ss

AFFIDAVIT

I, John M. Hayden, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

John M. Hayden
(Signature of Nominee)

Subscribed and sworn to before me this 25th day of April, 1991

Elizabeth O. Sherwood
Notary Public

My Commission Expires March 31, 1992

Form approved by the Committee February 5, 1985.

U.S. GOVERNMENT PRINTING OFFICE: 1987—67-074

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 19 1991

Mr. Stephen D. Potts
Director
U.S. Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington D.C. 20005-3917

Dear Mr. Potts:

The enclosed financial disclosure report filed by John M. Hayden for the position of Assistant Secretary for Fish and Wildlife and Parks, has been reviewed in compliance with 5 CFR 2634.604. In addition to the standard conflict of interest prohibitions contained in 18 U.S.C. 201 - 209 and Executive Order 12731, the Assistant Secretary for Fish and Wildlife and Parks is also subject to five statutory prohibitions that apply to employees in our Department. These statutory prohibitions are: 18 U.S.C. 437; 30 U.S.C. 6; 30 U.S.C. 1211(f); 43 U.S.C. 11 and 43 U.S.C. 31(a). Except for 30 U.S.C. 1211(f), the provisions of each of these statutes are extended to the Assistant Secretary for Fish and Wildlife and Parks by Department of the Interior regulations in 43 CFR Part 20.735.

Upon confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, Mr. Hayden will resign his board member position with Sunflower Mallards and the Kansas Wildlife & Parks Foundation. Both of these organizations are non-profit environmental groups that have an interest in the activities of the U.S. Fish and Wildlife Service, an agency that falls under the responsibility of the Assistant Secretary for Fish and Wildlife and Parks.

As the former Governor of the State of Kansas, Mr. Hayden has a vested pension interest in the Kansas Public Employee Retirement System. The Kansas retirement system is funded by contributions made by the state and its employees. The system is administered by state employees, and investment decisions (for the state retirement system) are made by a board appointed by the Governor. The State of Kansas no longer makes contributions to the system on Mr. Hayden's behalf.

Frick & Hayden Farms of Atwood, Kansas, is in the business of producing wheat and receives subsidies from the U.S. Department of Agriculture. The farm is a family-owned business in which Mr. Hayden holds a small interest (approximately 2%). Mr. Hayden does not have any direct involvement in the management or the operations of this farm. Frick & Hayden Farms has no business with the Department of the Interior.

Mr. Hayden recently started to provide consulting services to Mr. Bob L. Meinen of Topeka, Kansas. These consulting services are connected with Mr. Meinen's contract with the Nature Conservancy to provide a report on a recovery plan for migratory and other waterfowl in the central migratory bird flyway. As of this date, Mr. Hayden has not received any compensation for his services to Mr. Meinen. Mr. Hayden was advised of the President's Executive Order on the restriction of outside earned income and has agreed that upon confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, he will terminate his consulting contract with Mr. Meinen.

Mr. Donald D. Barry is an attorney who represents private industry on natural gas matters within the State of Kansas. Mr. Hayden provides consulting services to Mr. Barry. Upon Confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, Mr. Hayden has also agreed to terminate his consulting contract with Mr. Barry.

Based on our review of the information provided, I have determined and certified that Mr. Hayden is in compliance with the ethics statutes and regulations which apply to the Assistant Secretary for Fish and Wildlife and Parks. Should you have any questions concerning the report submitted by Mr. Hayden, please call Gabriele J. Paone or Mason Tsai on 208-5916.

Thank you.

Sincerely,

Charles E. Kay

Charles E. Kay
Principal Deputy Assistant Secretary - Policy, Budget & Administration and Designated Agency Ethics Official

Enclosure

cc:
Mr. Jay S. Bybee, The White House
Mr. Jeff Arnold, DOI/OCL

U.S. Office of Government Ethics

Executive Branch PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved
OMB No.

Reporting Status (Check Appropriate Boxes)	☐ Incumbent	Calendar Year Covered by Report: 1990	☒ New Entrant, Nominee, or Candidate	Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year): 2/19/91
	☐ Termination Filer	Termination Date (If Applicable) (Month, Day, Year):	Agency Use Only	
Reporting Individual's Name	Last Name: HAYDEN	First Name and Middle Initial: JOHN M.	OGE Use Only	
Position for Which Filing	Title of Position: ASSISTANT SECRETARY FOR FISH, WILDLIFE AND PARKS	Department or Agency (If Applicable): DEPARTMENT OF INTERIOR		
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code): 214 S.W. 6th St, Ste 201,Topeka,KS 66603	Telephone No. (Include Area Code): 913/234-6453		
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: NONE			
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: 1.Energy & Natl.Resources 2.Environment and Public Works	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No		
Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Signature of Reporting Individual: John M. Hayden	Date (Month, Day, Year): 2/19/91		
Other Review (If desired by agency)	Signature of Other Reviewer: Mason Tsai	Date (Month, Day, Year): 4/19/91		
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations.	Signature of Designated Agency Ethics Official/Reviewing Official: Charles E. Kay	Date (Month, Day, Year): 4/19/91		
Office of Government Ethics Use Only	Signature:	Date (Month, Day, Year):		

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Note: The asset value of the Frick and Hayden Farms reported on Schedule A is the value for Mr. Hayden's personal fractional interest in the Farms and does not represent the total asset value of the Farms.

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Previous Editions Cannot Be Used

278-111

BEST AVAILABLE COPY

SF 278 (Rev. 1/91)
5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: JOHN M. HAYDEN

SCHEDULE A

Page Number: 2

	Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B								Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C																		
										Type								Amount										
	Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x					x										x								
Examples	Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$130,000	
Examples	Keystone Equity Fund					x								x							x							
Examples	Doe Jones & Smith pension plan							x						x				x										
1	State of Kansas Governor's Office Topeka, KS 66612																Salary										$70,220	
2	Prick & Hayden Farms Atwood, KS 67730		x								x									x								
3	Donald D. Barry Chartered 1017 Gage, Ste C Topeka, KS 66604																Salary										$7,500	
4	State Bank of Atwood Atwood, KS 67730 Checking & Savings Accounts		x									x							x									
5	Commerce Bank & Trust 31st & Topeka, Topeka, KS Checking & Savings Accounts			x								x							x									
6	Farmers Bank & Trust Atwood, KS 67730 Savings Account		x															x										

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(continued)

5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name		Page Number
JOHN M. HAYDEN	**SCHEDULE A** (continued)	2 a

	Assets and Income BLOCK A	**Valuation of Assets at close of reporting period** BLOCK B								**Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item.** BLOCK C																		
										Type								Amount										
	Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, USA																Law Partnership Income										$130,000	
	Kempstone Equity Fund												x								x							
	Doe Jones & Smith pension plan							x						x				x										
1	Bank IV Garden City, KS Certificate of Deposit		X									X							X									
2	Kansas ~~Public~~ Employees Retirement System (Pension)			X														X										
3																												
4																												
5																												
6																												

SF 278 (Rev. 1/01)
5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name JOHN M. HAYDEN	**SCHEDULE B**	New Entrant/Nominee/Candidate: Schedule Not Applicable ☒	Page Number 3

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent child during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

S, DC, or J	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)							Certificate of divestiture
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	
Example	Central Airlines Common	x			2/1/01			x					
1													
2													
3													
4													
5													

Part II: Gifts, Reimbursements, and Travel Expenses

Report the source, a brief description (including travel, dates, and the nature of expenses provided), and the value of: (1) transportation, lodging, food, or entertainment received from one source totaling $260 or more (unless received as personal hospitality at the donor's personal or family residence); (2) other gifts from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more from one source. Exclude gifts, reimbursements and travel expenses from the U.S. Government, also exclude gifts from relatives, gifts of $75 or less when aggregating gifts for the total from one source, and gifts and reimbursements received by your spouse or dependent child that were given totally independent of the relationship to you. See instructions for further exclusions.

None ☐

S, DC, or J	Source (Name and Address)	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/00	$500
	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	[illegible]
1			
2			
3			
4			
5			

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5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name		Page Number
JOHN M. HAYDEN	SCHEDULE C	4

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☒

S, DC, or J		Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x) $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000
	Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1981	13%	25 yrs.			x				
		John Jones, 123 J St., Washington, DC	Promissory note	1986	10%	on demand					x		
1													
2													
3													
4													
5													

Part II: Agreements or Arrangements

Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☒

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 11/91 and retained pension benefits (independently managed, fully funded, defined contribution plan)	Doe Jones & Smith, Hometown, USA	7/85
1			
2			
3			
4			
5			
6			

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SF 278 (Rev. 1/91)
5 CFR Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name JOHN M. HAYDEN	**SCHEDULE D**	Page Number 5

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/85	1/91
1	During 1990, I was Governor of Kansas and any positions I held were social, political or honorary.				
2	Sunflower Mallards, P.O. Box 6197, Salina, Kansas 67401	Non-profit Environmental	Board Member	2/91	Present
3	Kansas Wildlife & Parks Foundation 5733 Reinhardt Drive, Fairway, Kansas 66205	Non-profit Environmental	Board Member	2/91	Present
4	Mr. Robert L. Meinen 2930 Southwest Lincolnshire Rd. Topeka, Kansas	Consulting Services	Consultant	4/91	Present
5	Mr. Donald D. Barry Chartered 1017 Gage Street, Topeka, Kansas 66604	Consulting Services	Consultant	2/91	Present
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Incumbent/Termination Filer/Candidate: Not Applicable ☐

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, USA	Legal services in connection with university construction
1	State of Kansas, Topeka, Kansas 66612	Governor 1987 - 1991
2	Mr. Donald D. Barry Chartered 1017 Gage Street, Topeka, Kansas 66604	Consulting Services Presently employed
3		
4		
5		
6		

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 3 1991

The Honorable J. Bennett Johnston
Chairman, Committee on Energy and Natural Resources
United States Senate
Washington D.C. 20510

Dear Mr. Chairman:

Pursuant to Section 101 of the Ethics Reform Act of 1989, I hereby certify and report that the information below will update my Financial Disclosure Report (SF-278) dated February 19, 1991 with respect to outside earned income and honoraria.

Since the submission of my February 19, 1991 Financial Disclosure Report, I have received two payments totalling $15,000 from Mr. Donald D. Barry of Topeka, Kansas. These payments are for consulting services I provided to Mr. Barry during March and April of this year. I do not expect any further payments from Mr. Barry since our consulting agreement has been terminated.

I also received $3,750 from Mr. Robert L. Meinen of Topeka, Kansas. This payment is also for consulting services I rendered. Please note that my consulting agreement with Mr. Meinen will terminate upon my confirmation as Assistant Secretary for Fish and Wildlife and Parks. I have received an additional $3,750 from Mr. Meinen as the final payment under our consulting agreement for a total of $7,500.

I further certify that I have transmitted copies of this report to the Designated Agency Ethics Official of the Department of the Interior and to the Director, U.S. Office of Government Ethics.

John M. Hayden
John M. Hayden

)
Washington)ss
District of Columbia)

Subscribed and sworn before me on this 3rd day of June 1991.

Kathleen D. St. Pierre
Notary Public

My commission expires: April 14, 1994

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 3 1991

Mr. Stephen D. Potts
Director
U.S. Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington D.C. 20005-3917

Dear Mr. Potts:

As required by 5 CFR 2634.604(d), I hereby submit a true copy of my amendment and certification to the Senate Committee on Energy and Natural Resources. The amendment makes current, as of this date, the information contained in my Financial Disclosure Report (SF-278) dated February 19, 1991 with respect to outside earned income and honoraria as required by Section 101(b)(1) of the Ethics Reform Act of 1989.

Thank you.

Sincerely,

John M Hayden

John M. Hayden

Enclosure

United States
Office of Government Ethics
Suite 500, 1201 New York Avenue, N.W.
Washington, D.C. 20005-3919

April 22, 1991

The Honorable J. Bennett Johnston
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by John M. Hayden, who has been nominated by President Bush for the position of Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior. Also enclosed is a copy of Mr. Hayden's agreement to resign from the board of two organizations and to terminate two consulting contracts if confirmed.

We have reviewed the report and have also obtained advice from the Department of the Interior concerning any possible conflict in light of its functions and the nominee's proposed duties.

Based thereon, we believe that Mr. Hayden is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Stephen Potts

Stephen D. Potts
Director

Enclosures

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 19 1991

Mr. Stephen D. Potts
Director
U.S. Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington D.C. 20005-3917

Dear Mr. Potts:

The enclosed financial disclosure report filed by John M. Hayden for the position of Assistant Secretary for Fish and Wildlife and Parks, has been reviewed in compliance with 5 CFR 2634.604. In addition to the standard conflict of interest prohibitions contained in 18 U.S.C. 201 - 209 and Executive Order 12731, the Assistant Secretary for Fish and Wildlife and Parks is also subject to five statutory prohibitions that apply to employees in our Department. These statutory prohibitions are: 18 U.S.C. 437; 30 U.S.C. 6; 30 U.S.C. 1211(f); 43 U.S.C. 11 and 43 U.S.C. 31(a). Except for 30 U.S.C. 1211(f), the provisions of each of these statutes are extended to the Assistant Secretary for Fish and Wildlife and Parks by Department of the Interior regulations in 43 CFR Part 20.735.

Upon confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, Mr. Hayden will resign his board member position with Sunflower Mallards and the Kansas Wildlife & Parks Foundation. Both of these organizations are non-profit environmental groups that have an interest in the activities of the U.S. Fish and Wildlife Service, an agency that falls under the responsibility of the Assistant Secretary for Fish and Wildlife and Parks.

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Mr. Hayden recently started to provide consulting services to Mr. Bob L. Meinen of Topeka, Kansas. These consulting services are connected with Mr. Meinen's contract with the Nature Conservancy to provide a report on a recovery plan for migratory and other waterfowl in the central migratory bird flyway. As of this date, Mr. Hayden has not received any compensation for his services to Mr. Meinen. Mr. Hayden was advised of the President's Executive Order on the restriction of outside earned income and has agreed that upon confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, he will terminate his consulting contract with Mr. Meinen.

Mr. Donald D. Barry is an attorney who represents private industry on natural gas matters within the State of Kansas. Mr. Hayden provides consulting services to Mr. Barry. Upon Confirmation to the position of Assistant Secretary for Fish and Wildlife and Parks, Mr. Hayden has also agreed to terminate his consulting contract with Mr. Barry.

Based on our review of the information provided, I have determined and certified that Mr. Hayden is in compliance with the ethics statutes and regulations which apply to the Assistant Secretary for Fish and Wildlife and Parks. Should you have any questions concerning the report submitted by Mr. Hayden, please call Gabriele J. Paone or Mason Tsai on 208-5916.

Thank you.

Sincerely,

Charles E. Kay

Charles E. Kay
Principal Deputy Assistant Secretary - Policy, Budget & Administration and Designated Agency Ethics Official

Enclosure

cc:
Mr. Jay S. Bybee, The White House
Mr. Jeff Arnold, DOI/OCL

5 CFR Part 2634
U.S. Office of Government Ethics

Executive Branch PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved
OMB No. 3209-0001

Reporting Status (Check Appropriate Boxes): ☐ Incumbent | ☒ New Entrant, Nominee, or Candidate | ☐ Termination Filer

Calendar Year Covered by Report: 1990

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year): 2/19/91

Termination Date (If Applicable) (Month, Day, Year):

Agency Use Only

Reporting Individual's Name
Last Name: HAYDEN
First Name and Middle Initial: JOHN M.

OGE Use Only

Position for Which Filing
Title of Position: ASSISTANT SECRETARY FOR FISH, WILDLIFE AND PARKS
Department or Agency (If Applicable): DEPARTMENT OF INTERIOR

Location of Present Office (or forwarding address)
Address (Number, Street, City, State, and ZIP Code): 214 S.W. 6th St, Ste 201,Topeka,KS 66603
Telephone No. (Include Area Code): 913/234-6453

Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)
Title of Position(s) and Date(s) Held: NONE

Presidential Nominees Subject to Senate Confirmation
Name of Congressional Committee Considering Nomination:
1.Energy & Natl.Resources
2 Environment and Public Works
Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No

Certification
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.
Signature of Reporting Individual: John M. Hayden
Date (Month, Day, Year): 2/19/91

Other Review (If desired by agency)
Signature of Other Reviewer: Mason Tsai
Date (Month, Day, Year): 4/19/91

Agency Ethics Official's Opinion
The information contained in this report discloses no conflict of interest under applicable laws and regulations.
Signature of Designated Agency Ethics Official/Reviewing Official: Charles E. Kay
Date (Month, Day, Year): 4/19/91

Office of Government Ethics Use Only
Signature:
Date (Month, Day, Year):

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Note: The asset value of the Frick and Hayden Farms reported on Schedule A is the value for Mr. Hayden's personal fractional interest in the Farms and does not represent the total asset value of the Farms.

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

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278-111

NSN 7540-01-070-8444

5 CFR Part 2634
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Reporting Individual's Name		Page Number
JOHN M. HAYDEN	SCHEDULE A	2

Assets and Income BLOCK A

Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period.

Identify each asset or source of income which generated over $200 in income during the reporting period.

None ☐

Valuation of Assets at close of reporting period BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C

	Assets and Income	Valuation of Assets								Income: Type								Income: Amount										
S, DC or J		None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$130,000	
	Kempstone Equity Fund					x								x							x							
	Doe Jones & Smith pension plan							x						x				x										
1	State of Kansas Governor's Office Topeka, KS 66612																Salary										$70,220	
2	Frick & Hayden Farms Atwood, KS 67730		x								x									x								
3	Donald D. Barry Chartered 1017 Gage, Ste C Topeka, KS 66604																Salary										$7,500	
4	State Bank of Atwood Atwood, KS 67730 Checking & Savings Accounts		x									x							x									
5	Commerce Bank & Trust 31st & Topeka, Topeka, KS Checking & Savings Accounts			x								x							x									
6	Farmers Bank & Trust Atwood, KS 67730 Savings Account		x															x										

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(continued)

U.S. Office of Government Ethics

Reporting Individual's Name

JOHN M. HAYDEN

SCHEDULE A (continued)

Page Number
2 a

	Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B								Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C																		
										Type								Amount										Date (Mo., Day, Yr.) Only if Honoraria
	Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	
S, DC or J Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$120,000	
	Kempstone Equity Fund					x								x							x							
	Doe Jones & Smith pension plan							x						x				x										
1	Bank IV Garden City, KS Certificate of Deposit		x									x							x									
2	Kansas Public Employees Retirement System (Pension)			x														x										
3																												
4																												
5																												
6																												

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Reporting Individual's Name JOHN M. HAYDEN	SCHEDULE B	New Entrant/Nominee/Candidate: Schedule Not Applicable ☒	Page Number 3

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent child during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture fom OGE.

None ☐

S, DC, or J	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)							Certificate of divestiture
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	over $1,000,000	
Example:	Central Airlines Common	x			2/1/91			x					
1													
2													
3													
4													
5													

Part II: Gifts, Reimbursements, and Travel Expenses

Report the source, a brief description (including travel, dates, and the nature of expenses provided), and the value of: (1) transportation, lodging, food, or entertainment received from one source totaling $250 or more (unless received as personal hospitality at the donor's personal or family residence); (2) other gifts from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more from one source. Exclude gifts, reimbursements and travel expenses from the U.S. Government, also exclude gifts from relatives, gifts of $75 or less when aggregating gifts for the total from one source, and gifts and reimbursements received by your spouse or dependent child that were given totally independent of the relationship to you. See instructions for further exclusions.

None ☐

S, DC, or J	Source (Name and Address)	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/90	$500
	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1			
2			
3			
4			
5			

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Reporting Individual's Name		Page Number
JOHN M. HAYDEN	SCHEDULE C	4

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☒

S, DC, or J		Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)						
							$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000
	Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1981	13%	25 yrs.			x				
		John Jones, 123 J St., Washington, DC	Promissory note	1989	10%	on demand					x		
1													
2													
3													
4													
5													

Part II: Agreements or Arrangements

Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☒

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 11/91 and retained pension benefits (independently managed, fully funded, defined contribution plan)	Doe Jones & Smith, Hometown, USA	7/85
1			
2			
3			
4			
5			
6			

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Reporting Individual's Name		Page Number
JOHN M. HAYDEN	**SCHEDULE D**	5

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	Present
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/85	1/90
1	During 1990, I was Governor of Kansas and any positions I held were social, political or honorary.				
2	Sunflower Mallards, P.O. Box 6197, Salina, Kansas 67401	Non-profit Environmental	Board Member	2/91	Present
3	Kansas Wildlife & Parks Foundation 5733 Reinhardt Drive, Fairway, Kansas 66205	Non-profit Environmental	Board Member	2/91	Present
4	Mr. Robert L. Meinen 2930 Southwest Lincolnshire Rd. Topeka, Kansas	Consulting Services	Consultant	4/91	Present
5	Mr. Donald D. Barry Chartered 1017 Gage Street, Topeka, Kansas 66604	Consulting Services	Consultant	2/91	Present
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Incumbent/ Termination Filer/ Candidate: Not Applicable ☐

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, USA	Legal services in connection with university construction
1	State of Kansas, Topeka, Kansas 66612	Governor 1987 - 1991
2	Mr. Donald D. Barry Chartered 1017 Gage Street, Topeka, Kansas 66604	Consulting Services Presently employed
3		
4		
5		
6		

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: SCHROTE (LAST), JOHN (FIRST) E. (OTHER)

Position to which nominated: U.S. Department of the Interior Assistant Secretary-Policy, Management and Budget **Date of nomination:** 4/9/91

Date of birth: 06 (DAY) 05 (MONTH) 36 (YEAR) **Place of birth:** Findlay (Hancock County) Ohio

Marital status: Married **Full name of spouse:** Lisabeth Rachel (Daly) Schrote

Name and ages of children

Capt. James D. Schrote	32 years	
Mrs. Thomas Kent (Gretchen)	30 years	

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Ohio State University	10/54 - 6/58	BS Agriculture	6/58
Xavier University	9/62 - 6/64	MBA	6/64
University of Cincinnati	Attended 4 or 5 night school courses		
Miami University	1959 through 1961		

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

Oct 1989 to Present Deputy Assistant Secretary-Policy, Management & Budget
Department of the Interior, 1849 C Street, NW, Washington, DC 20240

Jun 1989 to Oct 1989 Assistant to the Secretary and Director of Congressional and Legislative Affairs
Department of the Interior, 1849 C Street, NW, Washington, DC 20240

1984 - 1989 Administrative Assistant to F. James Sensenbrenner, Jr.
House of Representatives, Washington, DC 20515

Employment record—Continued

1983 - 1984 Executive Vice President for Bishop, Bryant and Associates

1982 - 1983 Deputy Director, Presidential Personnel Office, The White House

(Continued on next page)

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

NONE

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

NONE

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Congressional Staff Advisory Cmte to USDA Graduate School	1984 - 1984	None
SES Bush/Quayle Association	1989 - present	None
Administrative Assistant Assoc.	1984 - 1989	None
Bull Elephants	1967 - 1970	None
Warren County (Ohio) Republican Party Central Cmte	1965 - 1966	Elected Position
Franklin City Park Board (OH)	1965 - 1966	Appointed
Boy Scouts of America	1950 - 1970's	Various positions & Cmts
Warren County Young Republicans (OH)	1959 - 1970	V.P. - Treasurer

EMPLOYMENT RECORD CONTINUED

1981 to 1982	-	Acting Assistant Secretary for Administration- U.S. Department of Agriculture, Washington, DC
1979 to 1981	-	Administrative Assistant to F. James Sensenbrenner Jr., M.C., U.S. House of Representatives, Washington, DC 20515
1977 to 1979	-	Field Staff for National Republican Congressional Committee, Washington, DC
1976	-	Special Assistant to the Secretary, U.S. Department of Agriculture, Washington, DC
1976	-	President Ford Committee - Regional Director for Ohio, Indiana, Michigan
1973 to 1976	-	Special Assistant to the Secretary, U.S. Department of Agriculture, Washington, DC
1972 to 1973	-	Principal Assistant to Acting Director of Office of Economic Opportunity, Washington, DC
1 [illegible] 2	-	Field Representative, Committee to Re-Elect the President, Washington, DC
1970 to 1972	-	Special Assistant to the Associate Director, Office of Economic Opportunity, Washington, DC
1970	-	Consultant, to U.S. Department of Agriculture. Worked on Government Reorganization
1967 to 1970	-	Administrative Assistant to Donald "Buz" Lukens, Member of Congress, Washington, DC
1959 to 1966	-	Purchasing Department, ARMCO Steel Corporation, Middletown, Ohio. Began as a purchasing clerk, progressing as co-buyer on to buyer.
1958 to 1959	-	Buyer expediter for McGraw Construction Co., Middletown, Ohio

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

NONE

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Not necessary as I am presently employed at U.S. Department of the Interior.

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

NO

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

1. NO 2. NO

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N/A

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

NO

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

NONE

3. Are you currently a party to any legal action? If so, describe its nature and status.

NO.

4. Have you ever declared bankruptcy? If so, describe the circumstances.

NO

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

YES

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

Twice in the 1960's. Once I owed them a small amount plus penalties and interest. Another time, they ended up decreasing my tax liability. The issue in both cases was whether or not and to what extent reimbursable education expenses were taxable.

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

NONE

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

NONE

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

NONE

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

YES

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

I will contact my servicing ethics counselor for advice and guidance in connection with any ethics situation or issue before me. Attached is a copy of the April 10, 1991, letter issued by the Department of the Interior's Designated Agency Ethics Official to the Director, Office of Government Ethics with regard to my reported financial interests.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

If, in the future, I am confronted by a situation that may create an actual or apparent conflict of interest, I will seek the advice and guidance of my servicing ethics counselor before proceeding.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

NO

District of Columbia

AFFIDAVIT

I, John E. Schrote being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

(Signature of Nominee)

Subscribed and sworn to before me this day of , 19

Elizabeth [illegible] Sherwood

Notary Public.

My Commission Expires March 31, 1992

Form approved by the Committee [illegible]

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN -3 1991

The Honorable J. Bennett Johnston
Chairman, Committee on Energy and Natural Resources
United States Senate
Washington D.C. 20510

Dear Mr. Chairman:

Pursuant to Section 101 of the Ethics Reform Act of 1989, as amended, I hereby certify and report that the information with respect to outside earned income and honoraria, as set forth in my SF-278 Financial Disclosure Report dated March 8, 1991 is current as of June 3, 1991.

I further certify that I have transmitted copies of this report to the Designated Agency Ethics Official of the Department of the Interior and to the Director, U.S. Office of Government Ethics.

JOHN E. SCHROTE

)
Washington)ss
District of Columbia)

Subscribed and sworn before me on this 3rd day of June 1991.

Kathleen D. St. Pierre
Notary Public

My commission expires: 4-14-94

United States Department of the Interior
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 3 1991

Mr. Stephen D. Potts
Director
U.S. Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington D.C. 20005-3917

Dear Mr. Potts:

As required by 5 CFR 2634.604(d), I hereby submit a true copy of my amendment and certification to the Senate Committee on Energy and Natural Resources. The amendment makes current, as of this date, the information contained in my Financial Disclosure Report (SF-278) dated March 8, 1991 with respect to outside earned income and honoraria as required by Section 101(b)(1) of the Ethics Reform Act of 1989.

Thank you.

Sincerely,

JOHN E. SCHROTE

Enclosure

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 10 1991

Mr. Stephen D. Potts
Director
U.S. Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington D.C. 20005-3917

Dear Mr. Potts:

The enclosed financial disclosure report filed by John E. Schrote for the position of Assistant Secretary - Policy, Management and Budget has been reviewed in compliance with 5 CFR 2634.604.

In addition to the standard conflict of interest prohibitions contained in 18 U.S.C. 201 - 209 and Executive Order 12731, the Assistant Secretary - Policy, Management and Budget is also subject to five statutory prohibitions that apply to employees in our Department. These statutory prohibitions are: 18 U.S.C. 437; 30 U.S.C. 6; 30 U.S.C. 1211(f); 43 U.S.C. 11 and 43 U.S.C. 31(a). Except for 30 U.S.C. 1211(f), the provisions of each of these statutes are extended to the Assistant Secretary - Policy, Management and Budget by Department of the Interior regulations contained in 43 CFR Part 20.735.

Mr. Schrote served as an Administrative Assistant to Congressman F. J. Sensenbrenner, Jr. before he became a Department of the Interior employee on May 1, 1989. Mr. Schrote presently serves as Acting Assistant Secretary - Policy, Management and Budget.

Mr. Schrote reported a $6,000 debt owed to him by RSM Company of Washington D.C. This debt was the result of unpaid fees for consulting services Mr. Schrote provided to Bishop - Bryant Consulting Firm in 1986 and 1987. RSM Company subsequently acquired Bishop - Bryant Consulting Firm and inherited its debt to Mr. Schrote. Because many of the details and records concerning this debt are difficult to reconstruct, Mr. Schrote wrote to RSM on March 8, 1991 to notify the company that he decided to cancel the debt which amounts to approximately $6,000.

The primary business of RSM Company includes research, management and strategy consulting for the private sector. Mr. Schrote has indicated that he has no existing relationship with or plans to conduct any future business with RSM Company. The Department of the Interior also has no business dealings with the RSM Company.

Mr. Schrote reported two Paine Webber Resource Management Accounts on his SF-278 Report. One account is held jointly with his wife, and the other account is held only in his wife's name. Both accounts are "self-directed" in that they hold stocks, bonds and bond funds selected by Mr. or Mrs. Schrote. Edited copies of stockbroker's statements for each of these accounts have been provided as an attachment to Mr. Schrote's SF-278 Financial Disclosure Report. None of the assets contained in the two Paine Webber Resource Management Accounts are prohibited to Mr. Schrote in the position of Assistant Secretary - Policy, Management and Budget.

Mr. Schrote has received a general briefing on the Department's ethics provisions and is very sensitive to the kinds of activities and interests he should avoid. As a further precaution, Mr. Schrote has also advised his stockbroker(s) to refrain from purchasing stocks or bonds in oil, gas and other mining companies.

Mr. Schrote's wife is the appointed trustee for the Juanita Daley Trust, a trust created to soley benefit Mr. Schrote's mother-in-law. The trust instrument contains two principal assets; a mortgage held on the mother-in-law's former home and a number of oil leases on private lands. The Juanita Daley Trust receives royalty payments from various oil companies that conduct operations on these private lands. The companies currently making royalty payments to the Trust include Exxon, Sun Oil, Kerr-McGee and Texaco Company. Mr. and Mrs. Schrote do not receive any income from the Juanita Daley Trust. If and when this trust is dissolved, the assets of the trust will be divided equally between Mrs. Schrote and her sister.

Mr. Schrote has reported his wife's interest in the Juanita Daley Trust on his financial disclosure reports ever since he started working for this Department (May 1, 1989). Although this interest has always been approved in the past, we have reviewed this trust arrangement again and determined that it is an appropriate interest for Mr. Schrote in the position of Assistant Secretary - Policy, Management and Budget.

Mr. Schrote's spouse is a former employee of the Eddie Mahe Company of Washington D.C. This company is in the business of providing public affairs consulting services to the private sector. The Department of the Interior does not conduct any business with the Eddie Mahe Company.

All other financial interests reported in Mr. Schrote's March 8, 1991 SF-278 Financial Disclosure Report are appropriate for him to hold in the position of Assistant Secretary - Policy, Management and Budget.

Based on my review of the information provided, I have determined that Mr. Schrote is in compliance with the ethics statutes and regulations which apply to the Assistant Secretary – Policy, Management and Budget. Should you have any questions concerning the report submitted by Mr. Schrote, please call Gabriele J. Paone or Mason Tsai on 208-5916.

Thank you.

Sincerely,

Charles E. Kay

Charles E. Kay
Designated Agency Ethics Official

Enclosure

cc:
Mr. Schrote
Mr. Greg Warden, The White House
DOI/OCL – 2 copies

SF 278 (Rev. 1/91)
5 CFR Part 2634
U.S. Office of Government Ethics

Executive Branch PUBLIC FINANCIAL DISCLOSURE REPORT

Reporting Status (Check Appropriate Boxes) ☒ Incumbent

Calendar Year Covered by Report: 1990

☒ New Entrant, Nominee, or Candidate

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year):

☐ Termination Filer

Termination Date (If Applicable) (Month, Day, Year):

Agency Use Only

OGE Use Only

Reporting Individual's Name
Last Name: Schrote
First Name and Middle Initial: John E.

Position for Which Filing
Title of Position: Assistant Secretary - Policy, Management and Budget
Department or Agency (If Applicable): Department of the Interior

Location of Present Office (or forwarding address)
Address (Number, Street, City, State, and ZIP Code): 1849 E Street, N.W. Washington D.C. 20240
Telephone No. (Include Area Code): (202)208-4123

Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)
Title of Position(s) and Date(s) Held: Deputy Assistant Secretary - Policy, Management and Budget

Presidential Nominees Subject to Senate Confirmation
Name of Congressional Committee Considering Nomination: Energy and Natural Resources
Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No

Certification
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.
Signature of Reporting Individual:
Date (Month, Day, Year): 3/8/91

Other Review (If desired by agency)
Signature of Other Reviewer: Mason Tsai
Date (Month, Day, Year): 3/10/91

Agency Ethics Official's Opinion
The information contained in this report discloses no conflict of interest under applicable laws and regulations.
Signature of Designated Agency Ethics Official/Reviewing Official: Charles E. Kay
Date (Month, Day, Year): 4/10/91

Office of Government Ethics Use Only
Signature:
Date (Month, Day, Year):

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and

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Reporting Individual's Name		Page Number
John E. Schrote	SCHEDULE A	2

Assets and Income BLOCK A — Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐

Valuation of Assets at close of reporting period BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C

	S, DC, or J	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Type: Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Examples		Central Airlines Common				x					x										x								
		Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$130,000	
		Kempstone Equity Fund					x								x							x							
		Doe Jones & Smith pension plan							x						x				x										
1		Putnam Convertible Fund (IRA)		X							X				X				X										
2	S	Putnam Convertible Fund (IRA)		X							X				X				X										
3	S	Putnam High Yield Trust (IRA)		X							X				X						X								
4	S	Putnam Option Income Trust (IRA)			X						X			X	X							X							
5		Putnam Option Trust (Keogh)		X							X			X	X						X								
6		Department of the Interior Federal Credit Union	✓																										

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Reporting Individual's Name: John E. Schrote

SCHEDULE A

Page Number: 3

	Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period (BLOCK B)								Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																		
										Type								Amount										
	Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
S, DC or J — Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$130,000	
	Kempstone Equity Fund					x								x							x							
	Doe Jones & Smith pension plan							x						x				x										
1	Dominion Resources Customer Stock Purchase Plan		X							X		X						X										
2	Cash Value-Life Insurance Columbus Life Insurance Co.		X									X						X										
3	S Trustee for Juanita Daley* Trust. Includes:																											
4	(a) First mortgage held on former home, and			X								X									X							
5	(b) Oil leases on non-public lands.** Royalties received																											
6	from Exxon, Sun Oil, Kerr-McGee and Texaco Company										X										X							

* Spouse's mother.   ** Held in family many years. Value unknown.

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Reporting Individual's Name
John E. Schrote

SCHEDULE A

Page Number
4

Assets and Income
BLOCK A

Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period.

Identify each asset or source of income which generated over $200 in income during the reporting period.

None ☐

Valuation of Assets at close of reporting period
BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item.
BLOCK C

		Valuation of Assets								Type								Amount										
	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Example	Central Airlines Common				•					•										•								
Example	Doe Jones & Smith, Hometown, USA			•													Law Partnership Income										$130,000	
Example	Kempstone Equity Fund					•								•							•							
Example	Doe Jones & Smith pension plan							•						•				•										
1	Paine Webber Resource Management Account		X							X		X							X									
2	Paine Webber Resource Management Account				X					X		X										X						
3	Rental Property Corolla, N.C.					X					X											X						
4	Congressional Employees Credit Union			X								X								X								
5	Dominion Bank (Savings)	X										X						X										
6	Civil Service Thrift C Fund			X								X																

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Reporting Individual's Name		Page Number
John E. Schrote	**SCHEDULE A**	5

	Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B								Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C																		
										Type								Amount										
	Identify each asset held for the production of income which had a fair market value exceeding $1,000 at the close of the reporting period. Identify each asset or source of income which generated over $200 in income during the reporting period. None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	Excepted Investment Fund	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000	Actual Amount Only if "Other" specified	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x					x										x								
	Doe Jones & Smith, Hometown, USA			x													Law Partnership Income										$130,000	
	Kempstone Equity Fund					x								x							x							
	Doe Jones & Smith pension plan							x						x				x										
1 S	The Eddie Mahe Company (Public Affairs Consultants)																Salary											
2	Department of the Interior																Salary										$76,860	
3	Fiduciary Capital Mutual Fund (IRA)		X							X			X	X				X										
4	Templeton World Fund (IRA)		X							X			X	X					X									
5 S	Templeton World Fund (IRA)		X							X			X	X					X									
6	Putnam Option Income Trust (IRA)		X							X			X	X						v								

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Reporting Individual's Name		Page Number
John E. Schrote	**SCHEDULE B** New Entrant/Nominee/Candidate: Schedule Not Applicable ☐	6:

Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent child during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

S, DC, or J	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)							Certificate of divestiture
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000	
Example	Central Airlines Common	x			2/1/91			x					
1	Fiduciary Capital Mutual Fund (IRA) rolled into Templeton World Fund (IRA)			X	3/28/90	X							
2	Templeton World Fund (IRA) - Voluntary non-deductable for 1989	X			3/28/90	X							
3 S	Templeton World Fund (IRA) - Voluntary non-deductable for 1989	X			3/28/90	X							
4	Putnam Option Income Trust (IRA) rolled into Putnam Convertible Income Fund			X	2/12/90	X							
5 S	Putnam High Yield Trust (IRA) rolled into Putnam Convertible Income Fund			X	2/12/90	X							

Part II: Gifts, Reimbursements, and Travel Expenses

Report the source, a brief description (including travel, dates, and the nature of expenses provided), and the value of: (1) transportation, lodging, food, or entertainment received from one source totaling $250 or more (unless received as personal hospitality at the donor's personal or family residence); (2) other gifts from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more from one source. Exclude gifts, reimbursements and travel expenses from the U.S. Government, also exclude gifts from relatives, gifts of $75 or less when aggregating gifts for the total from one source, and gifts and reimbursements received by your spouse or dependent child that were given totally independent of the relationship to you. S instructions for further exclusions.

None ☒

S, DC, or J	Source (Name and Address)	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/90	$500
	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$300
1			
2			
3			
4			
5			

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Reporting Individual's Name		Page Number
John E. Schrote	SCHEDULE C	7

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

S, DC, J	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)						
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1984	13%	25 yrs.			x				
	John Jones, 123 J St., Washington, DC	Promissory note	1989	10%	on demand					x		
1	Meridian Mortgage Company Wayne, PA 19087	Mortgage on rental property Corolla, N.C.	4/86	10½%	30 yrs		X					
2	Congressional Employees FCU	Personal Loan	2/90	7%	36 mos		X					
3	Dominion Bankshares Mortgage Co. Roanoke, VA 24019	Mortgage on principal residence	4/86	10%	30 yrs				X			
4												
5												

Part II: Agreements or Arrangements

Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/91 and retained pension benefits (independently managed, fully funded, defined contribution plan)	Doe Jones & Smith, Hometown, USA	7/85
1	Consulting fee of $6,000. This is an outstanding debt for services	RSM	86/87
2	rendered between 1986 and 1987. There is no ongoing relationship	739 8th. St. N.E.	
3	with this firm. Also, no future relationship with this firm is	Washington D.C. 20003	
4	anticipated.		
5		(Research, Management and Strategy Consulting Firm)	
6			

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Reporting Individual's Name		Page Number
John E. Schrote	**SCHEDULE D**	8

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☒

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	[illegible]	Present
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	[illegible]	[illegible]
1					
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Incumbent/Termination Filer/Candidate: Not Applicable ☐

None ☒

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, USA	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		

PaineWebber Incorporated
1000 HARBOR BOULEVARD - WEEHAWKEN, NJ 07087-6790

Attachment
to SF-278

PA

SUBSTITUTE COMBINED STATEMENT FOR RECIPIENTS OF DIVIDENDS AND DISTRIBUTIONS INTEREST INCOME MISCELLANEOUS INCOME ORIGINAL ISSUE DISCOUNT PROCEEDS FROM BROKER TRANSACTIONS

OMB. NO. 1545-0110	DIVIDENDS AND DISTRIBUTIONS	1099-DIV
1545-0112	INTEREST INCOME	1099-INT
1545-0115	MISCELLANEOUS INCOME	1099-MISC
1545-0117	ORIGINAL ISSUE DISCOUNT	1099-OIC
1545-0715	PROCEEDS FROM BROKER TRANSACTIONS	1099-B

JOHN E SCHROTE AND
RACHEL D SCHROTE JTTEN
[redacted]

DEP'T. OF THE INTERIOR
MAR 7 1991
ETHICS OFFICE

STATEMENT FOR
TAX YEAR 1990

ACCOUNT NUMBER	SS OR TAX I
[redacted]	[redacted]

ITEM	DESCRIPTION	AMOUNT
1.	GROSS DIVIDENDS AND OTHER DISTRIBUTIONS	1,178.68
1A.	ORDINARY DIVIDENDS (INCLUDED IN LINE 1)	.59
3.	CAPITAL GAINS DISTRIBUTIONS (INCLUDED IN LINE 1)	.00
4.	FEDERAL TAX WITHHELD ON DIVIDENDS	.00
5.	NONTAXABLE DISTRIBUTIONS - REPORTABLE (INCLUDED IN LINE1)	1,178.09
6.	FOREIGN TAX PAID	.00
7.	LIQUIDATING DISTRIBUTIONS - CASH	.00
8.	LIQUIDATING DISTRIBUTIONS - NONCASH	.00
9.	TAXABLE INTEREST ON BONDS AND CD'S	882.84
10.	AMOUNT OF FORFEITURE	.00
11.	INTEREST ON US TREASURY BILLS, BONDS & NOTES	.00
12.	FEDERAL INCOME TAX WITHHELD ON INTEREST	.00
13.	ROYALTY INCOME	.00
14.	SUBSTITUTE PAYMENTS AND REBATE INCOME	.00
15.	NET PROCEEDS ON SALE TRANSACTIONS (SEE DETAIL BELOW)	.00
16.	ACCRUED INTEREST ON SALES OF BONDS (SEE DETAIL BELOW)	.00
17.	ACCRUED INTEREST ON SALES OF US TREASURIES (SEE DETAIL BELOW)	.00
18.	ORIGINAL ISSUE DISCOUNT (SEE DETAIL BELOW)	.00
19.	FEDERAL INCOME TAX WITHHELD ON SALES AND OID (SEE DETAIL BELOW)	.00
20.	INTEREST PAID ON CUSTOMER CREDIT BALANCES	.00
21.	**TAX EXEMPT INCOME - NON REPORTABLE**	.00
22.	**TAX EXEMPT ACCRUED INTEREST**	.00

-ITEM 1A- ORDINARY DIVIDENDS

SECURITY NUMBER	DESCRIPTION	AMOUNT
[redacted]	RMA MONEY MKT. PORTFOLIO	.59

-ITEM 1-
TOTAL

-ITEM 05- NONTAXABLE DISTRIBUTIONS - REPORTABLE

SECURITY NUMBER	DESCRIPTION	AMOUNT
[redacted]	GNMA PL 0008104X 8.0000	1,178.09

-ITEM 5-
TOTAL 1,1

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY WILL BE IMPOSED ON YOU IF THIS INCOME IS TAXABLE AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED. **NOTE: LINES 21 AND 22 ARE NOT BEING REPORTED T' THE IRS.**

STATEMENT FOR
TAX YEAR 1990

PA

JOHN E SCHROTE AND
RACHEL D SCHROTE JTTEN
[redacted]

ACCOUNT NUMBER	SS OR TAX I
[redacted]	[redacted]

-ITEM 08- TAXABLE INTEREST ON BONDS AND CD'S

SECURITY NUMBER	DESCRIPTION	AMOUNT
[redacted]	GNMA PL 0006104X 8.0000	882.84

-ITEM 9-
TOTAL

DEPT. OF THE INTERIOR
MAR 7 1991
ETHICS OFFICE

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY WILL BE IMPOSED ON YOU IF THIS INCOME IS TAXABLE AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED. NOTE: LINES 21 AND 22 ARE NOT BEING REPORTED TO THE IRS.

January 1991

Page 1 of 2 [redacted]

PaineWebber
Resource Management Account Statement

PAINEWEBBER INC.
1 MERIDIAN PLAZA
SUITE - 2300
PHILADELPHIA, PA 19102-2465
[illegible]-X14 - 0191

Invested assets	$	9,949.15*
Less debit balance	$	-120.63
Net account value on January 31	$	9,828.52*
Net account value on December 31	$	8,655.39*

* *Excluding unpriced assets.*

Account Number [redacted] PZ[illegible]
Social Security Number [redacted]

Your Investment Executive
[redacted]

JOHN E SCHROTE AND
RACHEL D SCHROTE JTTEN
[redacted]

Activity summary

Account value on December 31		$	8,655.39
Cash flow			
Earnings / capital return	+230.48		
Deposits	+1,200.00		
Money fund checks paid	-135.10		
MasterCard payments	-37.94		
Loan interest charged	-7.48		
Security transactions *(Excluding PaineWebber Money fund transactions)*			
Change in value of investments	-76.83		
Account value on January 31		$	9,828.52

Earnings and capital return summary

Earnings/capital return categories are for the current calendar year. All prior year entries are summarized separately. This information should not be used for tax purposes. See back for details.

	Current period	Year-to-date
Interest	69.80	69.80
Return of principal/capital	160.68	160.68
Total earnings / capital return	230.48	230.48

Credit summary

Loan balance January 01	$	1,371.00
Loan balance January 21	$	.00
Average loan balance	$	1,090.00
Closing account balance Jan 21	$	30.00
Loan interest period		01/01 - 01/21
Margin interest rate		11.750%
Interest charged this period	$	7.48
Year-to-date interest charged	$	7.48

Bulletin Board
IN TODAY'S UNCERTAIN ENVIRONMENT, CLIENTS NEED A CONSERVATIVE, HIGH QUALITY GLOBAL INVESTMENT THAT PROVIDES HIGH INCOME.
SEE THE COVER OF MONEY NOTES.
RESOURCELINE 1-800-RMA-2000: ACCOUNT #370000426
FOR AN RMA REPRESENTATIVE CALL 1-800-RMA-1000.

DEPT. OF THE INTERIOR
[illegible] 1991
ETHICS OFFICE

anuary 1991

Account Number [redacted]
Your Investment Executive
[redacted]

[redacted]

Page 2 of 2

PaineWebber
Resource Management Account Statement

PZ5L064259-X14

DEPT. OF THE INTERIOR
MAR 7 1991
ETHICS OFFICE

Asset summary

ee reverse side for information on assets excluded from this summary.

	% of portfolio		Value
Mortgage-backed securities	100.00		9,949.15
ess debit balance			-120.63
et account value		$	9,828.52

Asset portfolio

rices, income and current values may be approximate. Some Direct Investments are presented at initial offering price. Details on back.

Mortgage-backed securities

otal original ace value	Description	Price	Current value	Est annual income	Purchase date	Face value purchased	Purchase price	Original cost basis	Unrealized gain/loss
35,000	GNMA POOL 0006104X	96.500	9,949.15	825	——Portfolio management information will be available shortly——				
✓	RATE 8.0000% MATURES 07/15/05								
	CURRENT PAR VALUE 10,310								
	Total	$	9,949.15	825					

Monthly activity

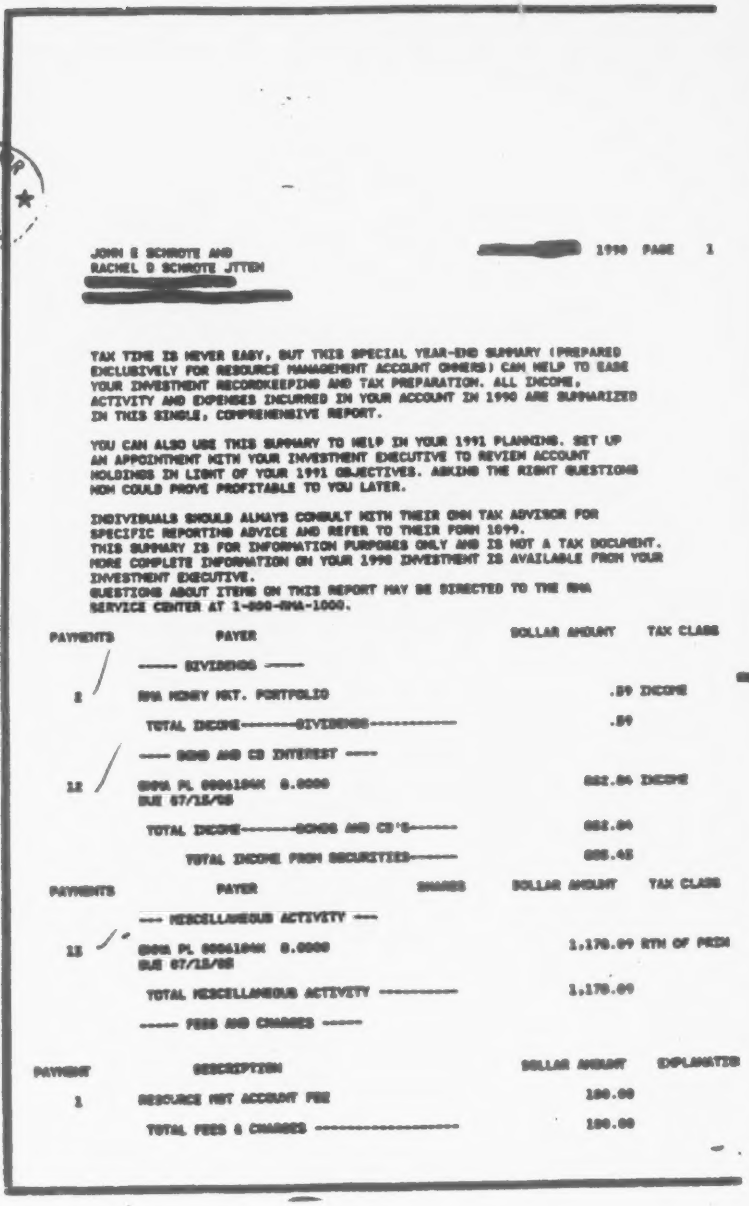
ash flow

ate	Activity	Description		Amount
2/31		Balance forward	$	-1,370.59
1/06	WITHDRAWAL	CHECK PAID 00218		-30.00
1/10	WITHDRAWAL	CHECK PAID 00216		-.10
1/15	INTEREST	GNMA PL 0006104X 8.0000 DUE 07/15/05 FACTOR .29456902		69.80
1/15	RETURN OF PRINCIPAL	GNMA PL 0006104X 8.0000 DUE 07/15/05 FACTOR .29456902		160.68
1/18	DEPOSIT	CHECK DEPOSITED		1,200.00
01/22	WITHDRAWAL	CHECK PAID 00220		-105.00
01/22	LOAN CHARGE	LOAN INTEREST CHARGED		-7.48
01/30	MASTERCARD	BANK CARD ACTIVITY		37.75
01/30	MASTERCARD	BANK CARD ACTIVITY		92.34
01/30	MASTERCARD	BANK CARD ACTIVITY		6.27
01/30	MASTERCARD	BANK CARD ACTIVITY		9.50
01/30	MASTERCARD	BANK CARD ACTIVITY		42.17
01/30	MASTERCARD	BANK CARD ACTIVITY		-225.97
01/31		Closing balance	$	-120.63

hecking summary

ayment date	Check #	Amount
1/10	00216	.10
1/08	00218	30.00

DEPT. OF THE INTERIOR
MAR 7 19
ETHICS OFFICE



JOHN E SCHROTE AND
RACHEL D SCHROTE JTTEN
[redacted]

[redacted] 1990 PAGE 1

TAX TIME IS NEVER EASY, BUT THIS SPECIAL YEAR-END SUMMARY (PREPARED EXCLUSIVELY FOR RESOURCE MANAGEMENT ACCOUNT OWNERS) CAN HELP TO EASE YOUR INVESTMENT RECORDKEEPING AND TAX PREPARATION. ALL INCOME, ACTIVITY AND EXPENSES INCURRED IN YOUR ACCOUNT IN 1990 ARE SUMMARIZED IN THIS SINGLE, COMPREHENSIVE REPORT.

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QUESTIONS ABOUT ITEMS ON THIS REPORT MAY BE DIRECTED TO THE RMA SERVICE CENTER AT 1-800-RMA-1000.

PAYMENTS	PAYER	DOLLAR AMOUNT	TAX CLASS
/	----- DIVIDENDS -----		
2 /	RMA MONEY MKT. PORTFOLIO	.59	INCOME [redacted]
	TOTAL INCOME-------DIVIDENDS-----------	.59	
/	---- BOND AND CD INTEREST ----		
12 /	GNMA PL 0006104K 8.0000 DUE 07/15/08	882.84	INCOME
	TOTAL INCOME-------BONDS AND CD'S------	882.84	
	TOTAL INCOME FROM SECURITIES------	883.43	

PAYMENTS	PAYER	SHARES	DOLLAR AMOUNT	TAX CLASS
	--- MISCELLANEOUS ACTIVITY ---			
12 /	GNMA PL 0006104K 8.0000 DUE 07/15/08		1,170.09	RTN OF PRIN
	TOTAL MISCELLANEOUS ACTIVITY ----------		1,170.09	
	----- FEES AND CHARGES -----			

PAYMENT	DESCRIPTION	DOLLAR AMOUNT	EXPLANATIO
1	RESOURCE MGT ACCOUNT FEE	100.00	
	TOTAL FEES & CHARGES ------------------	100.00	

[redacted], 1990 PAGE 2

PAYMENT	DESCRIPTION	DOLLAR AMOUNT	EXPLANATIO
	******* TOTAL INTEREST CHARGED ON DEBIT BALANCE	100.67	

[redacted]

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MAR 7 1991
ETHICS OFFICE

PaineWebber Incorporated
1000 HARBOR BOULEVARD - WEEHAWKEN, NJ 07087-6790

PA

OMB. NO. 1545-0110
1545-0112
1545-0115
1545-0117
1545-0715

SUBSTITUTE COMBINED STATEMENT FOR RECIPIENTS OF
DIVIDENDS AND DISTRIBUTIONS
INTEREST INCOME
MISCELLANEOUS INCOME
ORIGINAL ISSUE DISCOUNT
PROCEEDS FROM BROKER TRANSACTIONS

1099-DIV
1099-INT
1099-MISC
1099-OID
1099-B

RACHEL D SCHROTE
[redacted]

STATEMENT FOR
TAX YEAR 1990

ACCOUNT NUMBER	SS OR TAX I
[redacted]	[redacted]

ITEM	DESCRIPTION	AMOUNT
1.	GROSS DIVIDENDS AND OTHER DISTRIBUTIONS	.00
1A.	ORDINARY DIVIDENDS (INCLUDED IN LINE 1)	.00
3.	CAPITAL GAINS DISTRIBUTIONS (INCLUDED IN LINE 1)	.00
4.	FEDERAL TAX WITHHELD ON DIVIDENDS	.00
5.	NONTAXABLE DISTRIBUTIONS - REPORTABLE (INCLUDED IN LINE1)	.00
6.	FOREIGN TAX PAID	.00
7.	LIQUIDATING DISTRIBUTIONS - CASH	.00
8.	LIQUIDATING DISTRIBUTIONS - NONCASH	.00
9.	TAXABLE INTEREST ON BONDS AND CD'S	.00
10.	AMOUNT OF FORFEITURE	.00
11.	INTEREST ON US TREASURY BILLS, BONDS & NOTES	.00
12.	FEDERAL INCOME TAX WITHHELD ON INTEREST	.00
13.	ROYALTY INCOME	.00
14.	SUBSTITUTE PAYMENTS AND REBATE INCOME	.00
15.	NET PROCEEDS ON SALE TRANSACTIONS (SEE DETAIL BELOW)	.00
16.	ACCRUED INTEREST ON SALES OF BONDS (SEE DETAIL BELOW)	.00
17.	ACCRUED INTEREST ON SALES OF US TREASURIES (SEE DETAIL BELOW)	.00
18.	ORIGINAL ISSUE DISCOUNT (SEE DETAIL BELOW)	.00
19.	FEDERAL INCOME TAX WITHHELD ON SALES AND OID (SEE DETAIL BELOW)	.00
20.	INTEREST PAID ON CUSTOMER CREDIT BALANCES	.00
21.	TAX EXEMPT INCOME - NON REPORTABLE	6,414.10
22.	TAX EXEMPT ACCRUED INTEREST	.00

-ITEM 21- TAX EXEMPT INCOME -NON REPORTABLE

SECURITY NUMBER	DESCRIPTION	AMOUNT
[redacted]	PW TAX EXEMPT FUND	3,570.80
[redacted]	RMA TAX-FREE FUND INC	88.14
[redacted]	VIRGINIA ST HSG DEV AUTH	1,437.90
[redacted]	VIRGINIA HOUSING DEV	1,038.00
[redacted]	PW CLASS N.Y. MUNI BD FD	272.86

-ITEM 21-
TOTAL 6,41

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THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY WILL BE IMPOSED ON YOU IF THIS INCOME IS TAXABLE AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED. NOTE: LINES 21 AND 22 ARE N.T BEING REPORTED TO THE IRS.

PaineWebber
Resource Management Account Statement

January 1991

Page 1 of 4

Invested assets	$	96,611.21*
Net account value on January 31	$	96,611.21*
Net account value on December 31	$	96,321.26*

* Excluding unpriced assets.

PAINEWEBBER INC.
1 MERIDIAN PLAZA
SUITE - 2300
PHILADELPHIA, PA 19102-2465
PZ3L000202-X1 - 0101

Account Number [redacted] PZ3L000202-X1
Social Security Number [redacted]

Your Investment Executive
[redacted]

RACHEL D SCHROTE
[redacted]

Activity summary

Account value on December 31		$	96,321.26
Cash flow			
Earnings / capital return	+ 307.00		
Money fund checks paid	-422.02		
Miscellaneous charges and adjustments	-80.00		
Funds used for security transactions	-304.93		
Security transactions *(Excluding PaineWebber Money fund transactions.)*			
Securities purchased	+ 304.93		
Change in value of investments	+ 484.97		
Account value on January 31		$	96,611.21

Earnings and capital return summary

Earnings/capital return categories are for the current calendar year. All prior year entries are summarized separately. This information should not be used for tax purposes. See back for details.

	Current period	Year-to-date
Municipal dividends/interest	147.30	147.30
Prior year(s) adjustments	159.70	159.70
Total earnings / capital return	307.00	307.00

Asset summary

See reverse side for information on assets excluded from this summary.

	% of portfolio		Value
Money funds	.06		63.00
Municipal bonds and notes	40.94		39,559.60
Mutual funds	59.00		56,988.61
Total invested assets	100.00	$	96,611.21
Net account value		$	96,611.21

Bulletin Board
(I)TODAY'S UNCERTAIN ENVIRONMENT, CLIENTS NEED A CONSERVATIVE, HIGH QUALITY GLOBAL INVESTMENT THAT PROVIDES HIGH INCOME.
SEE THE COVER OF MONEY NOTES.
RESOURCELINE 1-800-RMA-2000: ACCOUNT #370000485
FOR AN RMA REPRESENTATIVE CALL 1-800-RMA-1000.

DEP'T. OF THE INTERIOR
MAR 7 1991
ETHICS OFFICE

January 1991

Account Number [redacted]
Your Investment Executive
[redacted]

Page 2 of 4

PaineWebber
Resource Management Account Statement

P2SL066263-X1

Asset portfolio

Prices, income and current values may be approximate. Some Street investments are presented at initial offering price. Details on back.

Equities

Common stock

Total shares	Description	Price	Current value	Est. annual income	Purchase date	Shares purchased	Purchase price	Original cost basis	Unrealized gain/loss
✓ 100	ARMAC ENTERPRISES INC*** **BANKRUPT 6/21/77	——Price was unavailable——			——Portfolio management information will be available shortly.——				
	Total	$	.00						

Money funds

Description	Opening balance	Closing balance	Closing share price	Average yield	Dividend period	Days in period
✓ RMA TAX-FREE FUND INC	542.95	63.00	1.00	5.19%	12/20 - 01/18	28
Total	$	63.00				

Municipal bonds and notes

Total face value at maturity	Description	Price	Current value	Est. annual income	Purchase date	Face value purchased	Purchase price	Original cost basis	Unrealized gain/loss
✓ 15,000	VIRGINIA HOUSING DEV AUTH CALLABLE RATE 06.900% MATURES 06/01/90 DATED DATE 02/01/79	103.299	15,494.85	1,035	——Portfolio management information will be available shortly.——				
✓ 25,000	VIRGINIA ST HSG DEV AUTH MULTI FAM CALLABLE RATE 05.750% MATURES 11/01/97 DATED DATE 04/01/78	96.259	24,064.75	1,438					
40,000	Total	$	39,559.60	2,473					

Mutual funds

Total shares	Description	Price	Current value	Purchase date	Shares purchased	Purchase price	Original cost basis	Unrealized gain/loss
387.393	PW CLASS H.Y. MUNI BD FD	9.950	3,854.56	——Portfolio management information will be available shortly.——				
✓ 4,731.438	PW TAX EXEMPT FUND	11.230	53,134.05					
	Total	$	56,988.61					

DEPT. OF THE INTERIOR
★ MAR 7 1991 ★

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January 1991

Account Number [redacted]
Your Investment Executive
[redacted]

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PaineWebber
Resource Management Account Statement

P2S.098264-X1

Monthly activity

Cash flow

Date	Activity	Description		Amount
12/31		Balance forward	$	.00
01/02	DIVIDEND ✓	PW TAX EXEMPT FUND AS OF 12/31/90		139.32
01/02	DIVIDEND ✓	PW CLASS H.Y. MUNI BD FD AS OF 12/31/90		19.37
01/03	FEE CHARGE	RMA SERVICES FEE AS OF 12/28/90		-60.00
01/04	DIVIDEND	RMA TAX-FREE FUND INC OBLIG AS OF 12/31/90		1.01
01/16	DIVIDEND ✓	PW TAX EXEMPT FUND AS OF 01/15/91		146.24
01/17	WITHDRAWAL	CHECK PAID 00273		-234.31
01/18	DIVIDEND	RMA TAX-FREE FUND INC OBLIG		1.06
01/28	WITHDRAWAL	CHECK PAID 00271		-187.71
		Funds used for security transactions	$	-304.93
		Proceeds from money fund transactions	$	482.02
		Funds used for money fund transactions	$	-2.07
01/31		Closing balance	$	.00

Security transactions

Date	Activity	Description	Quantity	Price / Value		Amount
01/02	REINVESTMENT ✓	PW TAX EXEMPT FUND AS OF 12/31/90	12.495			139.32
01/02	REINVESTMENT ✓	PW CLASS H.Y. MUNI BD FD AS OF 12/31/90	1.959			19.37
01/16	REINVESTMENT ✓	PW TAX EXEMPT FUND AS OF 01/15/91	13.139			146.24
		Securities purchased			$	304.93

DEP'T. OF THE INTERIOR
MAR 7 1991

January 1991

Account Number [redacted]
Your Investment Executive
[redacted]

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PaineWebber
Resource Management Account Statement

PZSL066285 XI

Money fund transactions

The RMA Tax-Free Fund Inc is your primary sweep fund.

Date	Activity	Money fund		Amount
12/31		Opening RMA Tax-Free Fund Inc	$	542.95
01/04	BOUGHT	RMA TAX-FREE FUND INC AS OF 12/31/90		1.01
01/04	SOLD	RMA TAX-FREE FUND INC		-60.00
01/17	SOLD	RMA TAX-FREE FUND INC		-234.31
01/18	BOUGHT	RMA TAX-FREE FUND INC		1.06
01/28	SOLD	RMA TAX-FREE FUND INC		-187 71
01/31		Closing RMA Tax-Free Fund Inc	$	63.00
		Money funds purchased	$	2.07
		Money funds sold	$	-482.02

Checking summary

Payment date	Check #		Amount
01/28	00271		187.71
01/17	00273		234.31
	Total checks paid	$	422.02

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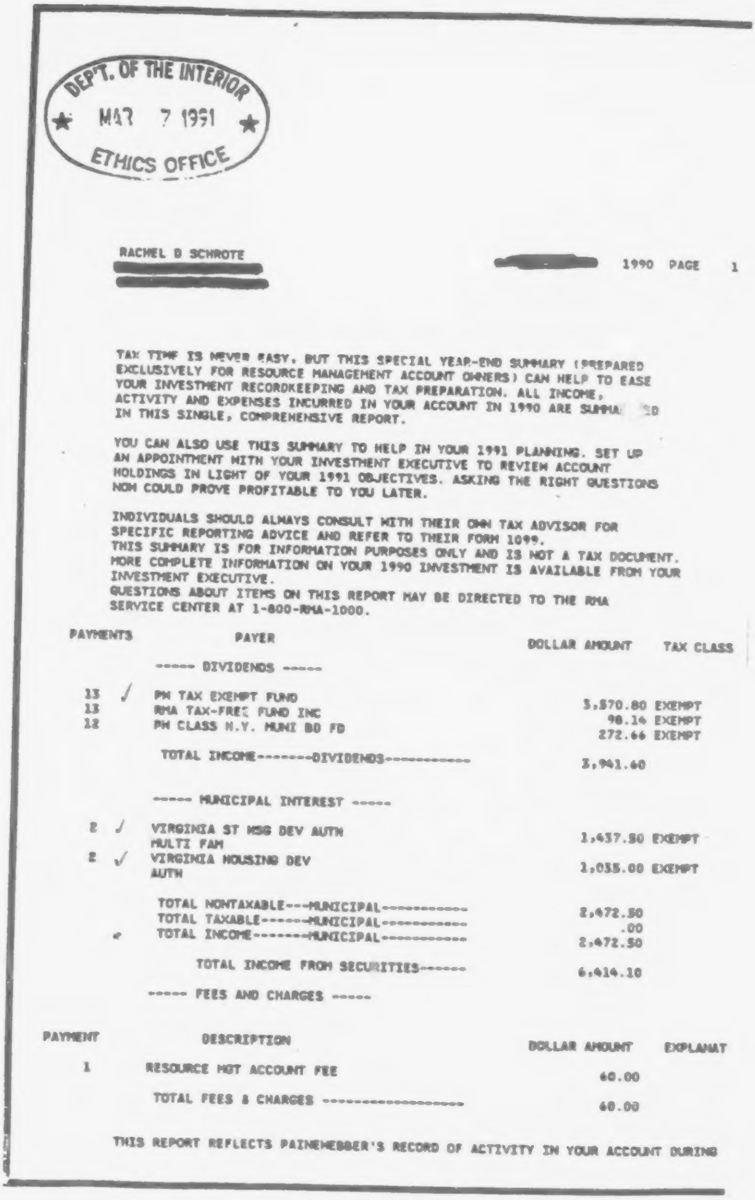
★ MAR 7 1991 ★



DEP'T. OF THE INTERIOR
MAR 7 1991
ETHICS OFFICE

RACHEL D SCHROTE
[redacted]

[redacted] 1990 PAGE 1

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PAYMENTS		PAYER	DOLLAR AMOUNT	TAX CLASS
		----- DIVIDENDS -----		
13	✓	PW TAX EXEMPT FUND	3,570.80	EXEMPT
13		RMA TAX-FREE FUND INC	98.14	EXEMPT
12		PW CLASS N.Y. MUNI BD FD	272.66	EXEMPT
		TOTAL INCOME-------DIVIDENDS-----------	3,941.60	
		----- MUNICIPAL INTEREST -----		
2	✓	VIRGINIA ST HSG DEV AUTH MULTI FAM	1,437.50	EXEMPT
2	✓	VIRGINIA HOUSING DEV AUTH	1,035.00	EXEMPT
		TOTAL NONTAXABLE---MUNICIPAL-----------	2,472.50	
		TOTAL TAXABLE------MUNICIPAL-----------	.00	
		TOTAL INCOME-------MUNICIPAL-----------	2,472.50	
		TOTAL INCOME FROM SECURITIES------	6,414.10	
		----- FEES AND CHARGES -----		

PAYMENT	DESCRIPTION	DOLLAR AMOUNT	EXPLANAT
1	RESOURCE MGT ACCOUNT FEE	60.00	
	TOTAL FEES & CHARGES ------------------	60.00	

THIS REPORT REFLECTS PAINEWEBBER'S RECORD OF ACTIVITY IN YOUR ACCOUNT DURING

United States Department of the Interior
TAKE PRIDE IN AMERICA
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

April 19, 1991

Honorable J. Bennett Johnston
Chairman of the Committee on
  Energy and Natural Resources
U.S. Senate
Washington, DC 20510

Dear Mr. Chairman:

For the record, pursuant to a request from counsel regarding certain assets held in Trust noted in my financial disclosure statement I am providing this additional information.

My wife, Rachel Schrote, is the trustee and Juanita Daly, her mother, is the sole beneficiary of the trust. My wife is not compensated and no benefits are derived. I am not involved in the management of the trust, however once a year I receive information from my wife for my public disclosure forms. Once a year, my wife reports all of the financial transactions and earnings to my mother-in-law's attorney.

My mother-in-law is elderly and she asked my wife to assist in handling some of her affairs, especially her only major assets and her bills. Because my wife has a sister and because of tax considerations, a trust was established. In the case of my mother-in-law's death, the two daughters or their survivors may elect to evenly divide the assets or leave the trust intact and evenly divide the income.

The assets in question are certain oil leases that are located in Oklahoma and Texas. We do not know the value of the leases because my father-in-law inherited them from his father. The leases had been in the family for quite some time before that and quite frankly we do not know how to establish a value. Because there has been no desire to sell the leases there has never been a need to determine the value. The total income from all of the leases has ranged from approximately $6000 to $3000 per year during the time they have been held in trust. Income has been received from only a few leases. None of the leases are on publicly owned lands. I have been advised by a Department ethics official that Interior employees are generally not prohibited from accepting royalty payments in connection with minerals extracted from private lands. In addition, such royalty payments seldom present an ethics concern for the Department because they are not considered to be an equity interest in the oil companies.

I have no involvement in the management of the trust. I elected to declare them because I do stand to gain in case my mother-in-law's death precedes mine. In that case my wife would receive her share of the assets of the trust or the income from the trust which could be of direct or indirect benefit to me. If my wife and her mother were to die before me, I could be a direct beneficiary.

I would be happy to provide additional details if necessary.

Sincerely,

JOHN E. SCHROTE
Acting Assistant Secretary
Policy, Management and Budget

cc: Senator Malcolm Wallop

APPENDIX II

Responses to Additional Questions

DEPARTMENT OF THE INTERIOR,
Washington, DC, June 10, 1991.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed you will find my responses to the questions for the record following my confirmation hearing before the Senate Energy and Natural Resources Committee on June 6.

If I can be of further assistance to you, please let me know. I look forward to working with your Committee in the future.

Sincerely,

JOHN M. HAYDEN,
Assistant Secretary, Fish and Wildlife and Parks—Designate.

[Enclosures.]

QUESTIONS FROM SENATOR JOHNSTON

Question 1: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: No.

Question 2: Have you ever been convicted (including a plea of guilty or nolo contendre) of any criminal violation other than a minor traffic offense?

Answer: No.

Question 3: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

Question 4: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 5: If you or your spouse have ever been formally associated with a law, accounting, public relations firm or other service with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 6: During the past ten years, have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: No.

Question 7: Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

Answer: No.

Question 8: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing? If not, please explain.

Answer: Yes.

Question 9: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

Question 10: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: No.

Question 11: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: I know of no additional information.

Question 12: Last evening the Committee received a very thoughtful letter from the National Recreation and Park Association about the role of the Federal government in providing outdoor recreation resources and services.

I share the Association's interest in your views on recreation policies and cooperation with state and local governments to meet recreation demand.

Please review the NRPA's letter and give me your comments for the record.

Answer: I am glad to respond about my perspectives on recreation policy and cooperation with states and local governments to meet recreation demands. I am a life-long hunter and fisherman and canoeist. My wife, Patti, is a former jogger and cyclist. Therefore, I have a personal as well as professional interest. I worked hard as a legislator and Governor on Land and Water Conservation budget items to insure a balanced approach and one that was fair to local governments. I know well the role of recreation in insuring the physical health of our citizens. In fact, as Governor, my Administration initiated the very first Sunflower State Games in Kansas for people of all ages. I have been a supporter of the multiple-use concept of park facilities, where practical. During my Administration in Kansas, the first amphitheater ever built in a state park was authorized. While I support multiple-use, multiple-use should not mean abuse. You can be assured that I am aware of the value and importance of human recreation and look forward to working with the Committee on this important issue.

QUESTIONS FROM SENATOR DOMENICI

Question 1: I think one of the most difficult issues you will have oversight of is the administration of the agencies' responsibilities under the Endangered Species Act. Very often, issues involving endangered species are not only complex but are tied to local economics and traditional lifestyles.

Do you believe there is room for improvement in the interpretation and application of the Endangered Species Act?

What opportunities do you feel there may be to provide some balance between human needs and the needs of endangered species?

Answer: The Endangered Species Act is a very specific law. When determining the listing of a species, Congress provided that only scientific information can be used to determine that listing. The flexibility Congress provided comes in the management plan for recovery of the species. During the management plan process economic and human factors can be considered consistent with recovery of the species.

Next year Congress will be considering reauthorization of the Endangered Species Act; that will be the next opportunity for Congress to review the track record of the Act and to consider any revisions.

QUESTIONS FROM SENATOR BURNS

Question 1: BISON—what is your general feeling for the way in which the NPS has managed the bison herds in Yellowstone Park?

Do you agree that it is appropriate for the Park Service to actively manage the bison in the Park so as to minimize any conflicts outside the Park? If so, would you recommend such activities as herding, trapping, and even limited killing of the Bison?

The State of Montana is implementing an interim plan for dealing with bison that wander out of the Park, while we wait for the Park Service to finalize its Bison Management Plan. The State's plan calls for the Park Service to be a full partner in managing the bison. What are your views on the Park Service working as a full partner with a State agency outside the boundaries of a National Park to correct or control problems such as bison that wander from the Park?

Do you believe the NPS should take responsibility for Bison that wander out of the park, and if so what action would you propose that the NPS take to either reduce the movement of Bison or to reduce the threat of the spread of Brucellosis?

Answer: I believe federal land managing agencies have a responsibility to be responsive to their neighbors. I understand the National Park Service and the Department are fully committed to working with the State of Montana and other agencies. Toward this end, I understand the Park Service is a full partner with Montana in the interim Bison Management Plan, and is also working with the State and others to develop a long-range plan. I fully support this type of cooperative, multi-agency effort.

Question 2: YELLOWSTONE VISION DOCUMENT—This is a document that has been prepared jointly by the NPS and the Forest Service. Do you believe this type of document is necessary to ensure adequate coordination between agencies? If so, can you explain why no other agencies were involved in the development of the vision document? (The Fish & Wildlife Service, BLM, Bureau of Mines, the States of Montana, Idaho, and Wyoming, local governments, and Tribes were all left out of this process.)

What action will you take to ensure that all appropriate federal, state, and local agencies will be included in any future efforts of this type?

Answer: Adequate coordination between agencies is an ongoing responsibility. In most cases, written documents are not necessary to formalize that responsibility. However, there may be some circumstances that justify more formal arrangements. Those decisions need to be made on a case-by-case basis.

It is my understanding, that as the principal land managers, the Forest Service and the National Park Service took the lead to produce a document that articulated Congressional concerns. That document has been subject to public review and comment. Extensive comments have been received. Both agencies are now considering them.

Question 3a: WOLVES—Recently the Wolf Committee sent a plan to Congress for the re-introduction of the wolf to Yellowstone Park. Do you think this plan is a reasonable plan, and do you see any major complications in implementing it?

Answer: I have not had an opportunity to review the Committee's plan and therefore cannot render an opinion on it at this time. I understand the Wolf Management Committee submitted its report to Congress on May 16, 1991. I am informed that the Committee's report is separate from the Fish and Wildlife Service's recovery efforts for the gray wolf.

Question 3b: How do you feel about individual states assuming management responsibility for an endangered species such as the wolf?

Answer: The Fish and Wildlife Service has existing section 6 cooperative agreements with all three States involved in the wolf issue (Idaho, Montana, and Wyoming), and they are actively working with them on recovery of numerous species. I think this is a good idea.

Question 3c: Since the Federal government persists in its efforts to reintroduce wolves to Yellowstone and Idaho, can you tell me what efforts the Fish and Wildlife Service will take to ensure minimal impacts from the wolf on livestock and wildlife populations?

Answer: I understand the Service has developed and implemented an Interim Wolf Control Plan for Idaho, Montana, Washington, and Wyoming. This plan allows for translocation and even removal of wolves confirmed to be involved in livestock depredations. I understand the concerns of local people who believe they may be affected by wolf reintroduction. I respect their views and I think it is important to have as much local support as possible if we are to proceed with a wolf reintroduction program.

Question 3d: Do you agree that the Federal government has a responsibility to provide monetary compensation to individuals who lose property due to livestock predation by wolves? Would you recommend to the Fish and Wildlife Service that it include funding for this compensation in its annual budget?

Answer: I am told that some conservation groups have created a compensation fund to assist individuals who have lost property due to wolves. Until I have further opportunity to study this issue, I would not be prepared to recommend inclusion of Federal funding for this purpose.

Question 3e: Under the plan adopted by the Wolf Management Committee, after adoption of approved state management plans, the respective states will have the responsibility for managing the wolf. Since it is the Federal government pushing to place the wolf into Yellowstone and Central Idaho and not the individual states, do you agree that it is reasonable to expect the Federal government to provide adequate funding to the states to manage the wolf?

Answer: As I understand the Act, the Fish and Wildlife Service can seek funding to support efforts of the States for the recovery of any listed endangered or threatened species. The Service also can seek funds to monitor the species for 5 years to ensure the population is secure. Until I have further opportunity to study this issue, I am not prepared to render an opinion on funding.

Question 4a: GRIZZLY BEARS—Ever since the Recovery Plans for the grizzly were adopted, the numbers of bears required for delisting have existed in Montana. We have been told on a number of occasions that the process is under way to implement that delisting. Yet nothing seems to happen. Will you commit to work to fulfill the goal of the Endangered Species Act and actively press to remove species such as the grizzly bear when they do reach recovery?

Answer: I am committed to implementing the Endangered Species Act. If a species has reached its recovery goals and therefore warrants delisting, I believe the Fish and Wildlife Service should implement that process.

Question 4b: I would appreciate a followup on just exactly where we are in the process for delisting the grizzly.

Answer: I understand the Fish and Wildlife Service is presently updating the Grizzly Bear Recovery Plan and it is being done at the recommendation of the Interagency Grizzly Bear Committee (IGBC). I also understand that with the State of Montana and an IGBC subcommittee, the service has drafted a Conservation Strategy for the Grizzly Bear in the Northern Continental Divide Ecosystem. Once approved by all the management agencies, I understand this will be the document for managing bears, but this document will require extensive agency review before being finalized.

Question 4c: When you and I visited recently, I told you of a situation that was taking place at the time in Montana. It involved a spring grizzly hunt that was sanctioned by the State of Montana with the approval of the F&WS. Then after receiving pressure from the Fund for Animals the F&WS changed its position on the hunt and applied pressure on the state to stop the hunt. As you are probably aware, a judge refused to stop the hunt. As a former Governor, I'm sure you can understand my concern for any federal agency that approves any state function and then reneges on its earlier decision. Will we have your assurance that this type of activity will not happen again? Will you also commit to make working cooperatively with State agencies a top priority for all F&WS and NPS personnel?

Answer: I agree with you that the incident on the spring grizzly bear hunt was unfortunate. I assure you that I will do everything I can to work cooperatively with the States to avoid this kind of incident in the future.

Question 4d: During the recent grizzly hunt crisis, a telephone conference call took place with our Governors office, the Chairman of our state Fish and Game Commission, the Director of the Montana department of Fish, Wildlife and Parks, and F&WS personnel in Denver. During this telephone call the F&WS urged the State to stop its spring hunt. The State, standing on the earlier approval from F&WS and on strong biological evidence supporting a spring hunt, refused to stop the hunt. Within less than one hour after the call ended the Director of the State F&G was greeted at his home by an attorney for the Fund for Animals with a subpoena to appear in court. The attorney was from out of town and already knew specifics of the conversation that took place during the conference call. Is it standard operating procedure for F&WS personnel to leak specific information from conference calls with state agencies? And if not, what action will you take to reign in these government employees that feel a need to leak information that is not necessarily public information?

Answer: I am told that the timing of the conference call and presentation of the subpoena was coincidental. Needless-to-say, I would be very concerned if there was a link between the phone conversation and the delivery of the subpoena, or if government employees were improperly "leaking" confidential information.

Question 5a: ENDANGERED SPECIES ACT REAUTHORIZATION—What is your opinion of the way the ESA has worked thus far? Do you believe it does an adequate job of taking into consideration social and economic impacts on the human element? If not, how would you suggest resolving this deficiency?

Answer: It is my understanding that the purpose of the Endangered Species Act is to provide for the conservation of species and protect the habitat upon which they depend. In many cases the Act has worked well and contributed to the recovery of important American natural resources. I am aware, however, that recently there has been a considerable amount of concern about the social and economic impact of the Act.

The Endangered Species Act is a very specific law. When determining the listing of a species, Congress provided that only scientific information can be used to determine that listing. The flexibility Congress provided comes in the management plan for recovery of the species. During the management plan process economic and human factors can be considered consistent with recovery of the species.

Next year Congress will be considering reauthorization of the Endangered Species Act; that will be the next opportunity for Congress to review the track record of the Act and to consider any revisions.

Question 5b: What is your position on animals such as the wolf that are alive and well and prospering in one part of the continent and yet listed as endangered in another simply because the animal is not present there?

Do you believe it would be appropriate to delist these animals since they are not biologically endangered?

Do you think these species should be treated differently under the Endangered Species Act?

Answer: I understand it was the intent of Congress to provide the Fish and Wildlife Service with the authority to conserve species, including subspecies and populations that are abundant in one area of their historic range, but which faced extirpation in another portion of its range. As a biologist, I think there is merit to the idea of avoiding the loss of a local population even though the species as a whole may not be endangered. This is an issue that no doubt will be considered in the context of the reauthorization.

Question 5c: With all of the recent controversy surrounding the Spotted Owl many people believe that the law is indeed out of control and that the people responsible for administering the law have lost all of their common sense. Would you agree that it is probably time to either amend the law, or modify the regulations to provide a more common sense approach to protecting endangered species?

Answer: I am aware of concern regarding the Act and its implementation. I understand that in many cases the low and regulations are applied without incident.

Question 5d: One of the criticisms of the ESA is that it does not allow for any flexibility. Do you think it is the actual law that is inflexible or is it the regulations? And how would you suggest that more flexibility could be built into the ESA?

Answer: I understand the Act sets forth a process to protect species, address economic impacts and provide for a process to exempt actions which might impact listed endangered and threatened species. I am not an expert on the Act at this point. Until I have had an opportunity to study the Act and regulations more closely, I am unwilling to make any suggestions regarding amendments to the Act or the regulations.

QUESTIONS FROM SENATOR MURKOWSKI

Question 1: Are you aware of a petition to list the Delta Smelt within the Sacramento-San Joaquin River Delta in California?

Answer: Yes, I have been informed the Fish and Wildlife Service has been petitioned to list the Delta smelt.

Question 2: In your view, should the Fish and Wildlife Service give any deference to the finding made by the California Fish and Game Commission with respect to a proposed listing of the Delta Smelt, pursuant to the California Endangered Species Act (which has similar criteria to that which exists within the federal Endangered Species Act); to the effect that listing at this time, is not justified; to the programs of future study and investigation implemented by that agency?

Answer: I am not fully informed on the process followed by the State of California in reaching its decision and therefore cannot comment on whether the Service should defer to it. Certainly, any good scientific evidence gathered by the State or any other interested party should be taken fully into account in the deliberations on such an important petition.

Question 3: In your view, would it be proper to list the Delta smelt as an endangered or threatened species, pursuant to the Endangered Species Act, if, as appears to be the case, the most recent annual fall midwater trawl index estimated for 1990 by the California Department of Fish and Game indicates that the Delta smelt have known a trend of increasing abundance during the past five years and that current abundance is equal to or greater than at any time in the last ten years?

Answer: Until I have the specific scientific data before me, there is simply no way I can render an opinion on such a complex and major issue. I restate my commitment, however, to include all relevant available biological and scientific data in this type of deliberation.

Question 4: In your view, should the Delta smelt be listed as a threatened or endangered species, pursuant to the Endangered Species Act, when, as appears to be the case, there is little or no information on the smelt's reproductive capabilities, population resiliency, geographic distribution and other basic data necessary to make a determination with respect to the status of the species?

Answer: The Act requires the Fish and Wildlife Service to act on the basis of the best available scientific evidence. If there simply is no data, the need for further examination and deliberations would appear the most reasonable course. I do not know if that is the situation with regard to the Delta smelt.

Question 5: What is your view on the development and maintenance of public/private partnerships which further the NPS interpretive goals; such as through joint financing of facilities improvements or the operation and maintenance of museums and other interpretive activities within National Parks?

Answer: I believe that a carefully coordinated program of Federal/State/private partnerships which further NPS interpretive goals makes a great deal of sense, particularly in an era of reduced financial resources at all levels. By establishing such partnerships, we can get more service to the users of NPS units. We must be certain, however, that the goals of the NPS activity are being achieved by the creation of such partnerships and that the important natural, cultural, and historic resources are maintained and protected.

Question 6: Would the work being done in the Charleston Navy Yard by private citizens to help the NPS prepare for the Bicentennial of U.S.S. Constitution, through their efforts to raise funds to improve NPS-owned facilities, be an example of the kind of public/private partnerships the NPS should encourage?

Answer: I understand that the Constitution remains a commissioned vessel of the U.S. Navy. The Navy has been actively involved in the effort to secure additional resources to assist in ship restoration and expanded facility support for the bicentennial year of 1997. I support this type of effort by the private sector.

QUESTIONS FROM SENATOR WALLOP

There are numerous new and expanded park proposals on which the Committee will focus its attention during this Congress. Our insatiable appetite for enacting new acquisitions, however meritorious, with the full knowledge that the ability to pay for them does not exist, is extremely unfair to the landowners who are put in an external limbo and denied the full value and use of their lands.

Question 1: What type of priority system will you implement to address the backlog of authorized but unacquired measures?

Answer: I intend to continue the use of the Administration's Land Acquisition Priority Ranking System.

Question 2: In light of the above answer, what type of priority system will you implement to cover new or expanded park proposals?

Answer: Virtually all new park proposals currently being considered are Congressionally mandated or requested. I understand the National Park Service is searching for a mechanism by which they can submit a priority list of new area studies to be considered by the Congress. The intent would be to find a way in which the Administration and the Congress can agree on the most significant areas that are worthy to be considered as possible additions to the National Park System.

Question 3: What type of program will you implement and under what conditions would you advocate the deauthorization of some of these areas?

Answer: Historically, few existing national park units have been deauthorized. In accordance with my previous answer, I will place my emphasis on developing a process that prioritizes candidate units so that only the best proposals come before the Congress.

DEPARTMENT OF THE INTERIOR,
Washington, DC, June 11, 1991.

Hon. J. Bennett Johnston,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed you will find my responses to the questions for the record following my confirmation hearing before the Senate Energy and Natural Resources Committee on June 6.

If I can be of further assistance to you, please let me know. I look forward to working with your Committee in the future.

Sincerely,

JOHN E. SCHROTE,
Assistant Secretary, Policy Management and Budget—Designate.

[Enclosures.]

QUESTIONS FROM SENATOR JOHNSTON

Question 1: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: No.

Question 2: Have you ever been convicted (including a plea of guilty or nolo contendre) of any criminal violation other than a minor traffic offense?

Answer: No.

Question 3: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

Question 4: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 5: If you or your spouse have ever been formally associated with a law, accounting, public relations firm or other service with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

Question 6: During the past ten years, have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: No:

Question 7: Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

Answer: No.

Question 8: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing? If not, please explain.

Answer: Yes.

Question 9: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

Question 10: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: No.

Question 11: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: I know of no additional information.

DEPARTMENT OF THE INTERIOR,
Washington, DC.

Hon J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed you will find my responses to additional questions from Senator Fowler for the record following my confirmation hearing before the Senate Energy and Natural Resources Committee on June 6.

If I can be of further assistance to you, please let me know.

Sincerely,

JOHN E. SCHROTE,
Assistant Secretary, Policy Management and Budget—Designate.

[Enclosures.]

QUESTIONS FROM SENATOR FOWLER

Question 1: I read your written testimony carefully and with great interest. Your theme throughout focuses on hard work, which I agree with you is "one central feature of public service." You pretty much detail how hard you have worked to reach this point in your life and your nomination for this most important position seems to flow from your dedication and hard work as a public servant. From your description, you seem to have come up the ranks through a system based on merit and hard work as a public servant. That, I applaud. It is your impression that all Interior Department employees enjoy the same advantage—that is when they have worked hard and proven themselves capable and qualified, the Interior Department has made promotion decisions that reward their efforts? Is there a class of employees at the Department who enjoy this advantage without regard to their performance based on merit?

Answer: I appreciate your reading in detail my statement which demonstrates the intensity of my commitment to public service and the intensity of my commitment to equal opportunity within the Department of the Interior. It is also a commitment of the Secretary of the Interior who has expressed, on many occasions, that it is the responsibility of all managers and supervisors throughout the Department to be aware of their affirmative employment responsibilities and to be particularly sensitive to these objectives when making personnel management decisions.

I believe that employees everywhere within the organization are a valuable asset and I am not aware of any class of employees at Interior who enjoy an undue advantage. I also believe in strict adherence to the merit principles and, if confirmed, I will ensure that all employees are promoted based on these principles. Moreover, I will work hard to create a climate of fairness sensitive to impressions and perceptions regarding employment and promotional practices.

Question 2: As you know, in general, I remain concerned about the practice of the Department with regard to hiring and promotion decisions based on merit. In particular, I have expressed an interest in the case of a current employee at Interior—Sandra McCrary. I realize that the EE0 complaint of Ms. McCrary (Case No.: OS-90-012) is in the stage of settlement negotiations with the Department but the facts of the case are a matter of public record. Upon examination on the face of both applicants' SF-171 you will find the following:

- Complainant has a college degree and has almost completed law school; the selectee (person hired for the promotion in this case) has some college course work.
- Complainant has a long and continuous history of work with the federal government and has performed at the GS-14 and GS-15 level for the last 10 years; selectee had been absent for a number of years from federal service and has only been a grade 14 for one year.
- Complainant received numerous outstanding performance appraisals and a large number of awards over her entire career with the federal government; the selectee received no performance related awards other than the special achievement citation given her by former Secretary Gallegos several months after she came on board.
- Complainant has specific experience for the job in question and a broad range of experience from other high-level assignments; selectee's background is limited to being staff assistant for a little over a year to the former assistant Secretary. Selectee's own description of her duties suggest that she principally set up meetings and transmitted messages back and forth between Gallegos and those who worked under him.

As a public official charged with the responsibility of safeguarding public trust, this case causes me deep concern because it appears to be a pattern of practice in the Department of the Interior. It certainly cannot be allowed to continue. If confirmed, we must know that you support and will enforce policies and practices that guarantee that the individual who is best qualified and best educated and who has the best performance track record is the person hired or promoted. How do you intend to do that? How do you, Mr. Schrote, intend to "work diligently, enthusiastically and effectively to stamp out any traces of [bigotry]?"

Answer: A method of achieving equitable treatment is to establish effective controls. The Department has already begun that accountability process. This year, for the first time, SES members will be evaluated in part on their ability to advance demonstrably equal opportunity principles in the performance of their positions. In future years, we plan to extend this articulated position to each level of management and supervision throughout the Department.

Other effective means to ensure equality are to review closely the individuals who are placed in training positions for programs such as the Departmental Management Development Program and the Senior Executive Service Candidate Development Program, as well as those individuals who are selected for awards such as the Department's recognition awards—and the Presidential Rank Awards. Additionally, some other thoughts I have are expediting the processing of EEO complaints through various means such as the Alternate Dispute Resolution process, and providing increased training in EEO to management officials. I look forward to further developing and implementing these and other ideas with appropriate Departmental officials.

Though the Senator may have a particular interest in the case of Ms. Sandra McCrary, I personally have not been involved in this matter. I am informed, however, that it is presently being processed under the internal EEO process of the Department. Since I may have to resolve this matter if it is presented to me later for a determination, it would be inappropriate for me to respond to the specifics of that case at this time.

However, in an attempt to provide information that is permitted to be disclosed, I have asked the Office of the Solicitor to assess procedurally where the proceeding is within the Department and to provide you that information separately. -

It must be noted, however, that the facts of Ms. McCrary's case are not a matter of public record. I am advised that the documents concern privacy interests of others and public disclosure could be harmful to the fair processing of Ms. McCrary's complaint. The Office of the Solicitor will provide the detailed legal basis for this determination.

In closing, let me stress that my door will always be open to our career employees. I intend to work with them to ensure that this vital area is a top priority of our management agenda which will receive the full attention of all managers.

Question 3: I have asked that the Committee record of this hearing include the analysis of evidence in this case as prepared by the Investigator, Jonathan Kaufman, hired by the Department of Interior to review this matter (Proposed Disposition of the EEO Complaint of Sandra McCrary). One very disheartening observation he made in his report, in my opinion, oddly enough had little to do with the complainant or selectee in this case. He said, "[D]uring the interview process, it became obvious to this investigator that there were a significant number of career agency officials who were extremely unhappy with the processing of this selection action. They accepted the fact that political appointees tend to bring in their own assistants to work with them. To them, this was a common practice. What seemed to disturb them was the appearance that the merit selection process was being twisted to allow somebody to be selected for a permanent career position when their experience, background and contributions to the agency were so limited and of such short duration."

Mr. Schrote, first, do you believe that in general, this assessment is true in the case of many of your career agency officials—is it their perception that the Department manipulates the merit system to hire and promote people who would not otherwise be hired or promoted but for this gross distortion of the system?

Have you observed, in general, any dissatisfaction among career agency officials about the way the Department has conducted the merit selection process?

Has this appearance of unfairness created overall worker morale problems in the Department?

Answer: I am not aware of a specific unhappiness among career employees in connection with the Department's use of the merit system in hiring and promotional practices. However, since you suggest that a problem may exit, I will look into this matter to see exactly what concerns there may be and how those concerns relate to overall employee morale. Moreover, I will do all in my power to ensure both the reality and the perception of the fairness of the merit system and have begun measures to that end as noted earlier.

Question 4: I was pleased to learn from your statement that you have a contempt for waste of "hard earned dollars of the taxpayers." As you know, there a number of ways to waste and abuse stewardship of taxpayer dollars.

One is to hire or systematically promote for federal civil service people who, while they may support a political party or figure, are not the most qualified for the position. I am saying that it is a waste of taxpayer dollars to make non-merit based decisions in these circumstances.

Another is, when confronted with a situation where an employee has been treated unfairly, to go about a protracted and questionable settlement route which potentially creates a larger back-pay award and higher attorney fees. This too is a waste of taxpayer dollars.

Now you mentioned in the hearing something to the effect that there's always court. I want to make it perfectly clear to you that, in my opinion, any nominee in this area who believes that he or she should not exercise full guardianship of public funds, including ensuring that these funds are not expended wastefully and unnecessarily, is not suited for confirmation. The public entrusts us with the responsibility of making decisions about who will be the most responsible guardian of our scarce, hard earned public resources—our tax dollars. And I for one do not undertake this responsibility lightly.

Now when you say you have contempt for waste of the "hard earned dollars of the taxpayers" what does that mean with regard to the two examples of waste I outlined above and reconcile that with your comments in the hearing this morning about going to court in EEO-related disputes with your agency.

Answer: I agree with your statement concerning the principles of fairness in employment decisions. I can assure you, moreover, that any complaint of discrimination will be handled fairly, quickly and expeditiously, without political or any other interference. Additionally, if discrimination is found after full development of the facts surrounding the particular case, the Department will provide all appropriate remedies.

Finally, the point I meant to make regarding the courts is that I recognize that no system is perfect, nor will all parties agree to the facts of a particular case. Therefore, I want to ensure the process does not inhibit anyone from exercising the full extent of his or her rights, including processing before the Equal Employment Opportunity Commission, the Merit Systems Protection Board, and even—as a last resort—the courts.

I raised the case of Sandra McCrary during my questioning of you in Committee because I wanted to discuss the broader implications of issues like the ones now being dealt with in Interior in resolving these kinds of disputes. As I made clear in my discussion, my primary concern is not a specific case, but rather the matter of merit-based hiring and promotion decisions within the Department of Interior overall. I assumed in my questioning "you had nothing to do with this case [EEO complaint filed by Sandra McCrary] anywhere down the line" prior to your assuming your current position within the Department of Interior and I simply want to have that clarified on the record by having you respond to the following questions.

Question 1: Describe your knowledge of all the circumstances surrounding the hiring of Shirley Martinez. Under what circumstances or how did you gain this knowledge and when?

To your knowledge, what other individuals were involved in the hiring decision of Shirley Martinez? How did you acquire this knowledge?

Answer: Ms. Martinez was hired by the Department prior to my arrival at Interior. I have no knowledge regarding the hiring of Ms. Martinez.

Question 2: Describe your knowledge of all the circumstances surrounding the non-competitive promotion of Shirley Martinez to grade 14 (effective August 27, 1989). Under what circumstances or how did you gain this knowledge and when?

Answer: I was designated as Acting Deputy Assistant Secretary on August 7, 1989, and I did not become Deputy Assistant Secretary until October 4, 1989. Until your questions were received by me, I was not aware that Ms. Martinez ever received a non-competitive promotion or a non-competitive pay increase.

Question 3: Describe your role in Shirley Martinez's non-competitive promotion to grade 14.

Were you asked to play any role in this promotion and, if so, by whom? What specifically were you asked to do?

Answer: At no time was I asked by anyone to play a role in this matter, nor did I play any role whatsoever.

Question 4: When you appeared before the Energy Committee to give testimony June 6, 1991, do you believe that, at that time and to the fullest extent possible, you clearly and accurately presented the facts to the Committee of any involvement or role played by you in any of the circumstances of this case (No.: OS-90-012)?

Where does this articulation appear in the committee transcript of the hearing?

Answer: During the hearing, I was not asked about my involvement or role in the circumstances of this case. To the best of my knowledge and belief, I have not been involved in this case in any way. I believe this can be readily inferred from my responses to the questions asked and I refer you to pages 46 (lines 18-25), 47 (lines 1-11), and 54 (lines 1-9) of the hearing transcript.

Moreover, my general awareness of the case has been extremely limited. As I recall, the matter was first mentioned to me in a general briefing on Policy, Management and Budget issues shortly after my December 3, 1990, designation as

Acting Assistant Secretary. The only detail I recall is that there was a pending EEO case in this office.

Shortly before the confirmation hearing, your staff conveyed to our Congressional Affairs office that the issue would likely come up in the hearing. It was at this time that I received a report on the procedural status of the case and was counseled by the Solicitor's office not to become involved because the case was being processed and I might ultimately be involved in the final decision.

Though I trust my recollection, I have asked that a thorough review be made of any documents and records even remotely related to personnel matters during the time I have been in the office of the Assistant Secretary. I have been informed that no information has been found which might suggest any involvement whatsoever on my part. I feel confident that a thorough review has been made.

Question 5: Do you have personal knowledge of or have you played any role in other complaints or disputes, formal or informal, against the Department of Interior similar to that made by Sandra McCrary, i.e., disparate treatment due to race and national origin or complaints of sexual harassment?

Answer: Since I have been the Acting Assistant Secretary, I have heard of or been informed of other cases on a very limited basis. In the spirit of the Dispute Resolution Act and as a management practice, I try to encourage resolution of problems at the lowest possible level—if possible, between the individuals themselves. The EEO process allows for this. To the best of my recollection, to date I have not been involved nor played a role in any complaint or dispute, formal or informal, against the Department. Neither have I had discussions with or counseled anyone who is a complainant. This is normal because cases are not expected to reach the Assistant Secretary unless they cannot be resolved at lower levels.

There was a case within one of the offices of Policy, Management and Budget in which I was involved as the Deputy Assistant Secretary. A formal EEO complaint had been filed and had progressed up to the Equal Employment Opportunity Commission (EEOC) prior to my appointment as Deputy Assistant Secretary. During my tenure as Deputy Assistant Secretary, the EEOC ruled against the Department. Subsequently, it was brought to my attention that the Department had not yet responded to the EEOC finding. I verbally expressed my dissatisfaction at our slowness in responding and immediately took steps to ensure the placement of the individual in the position and the full implementation of the terms established by the EEOC.

As Acting Assistant Secretary, I have general knowledge of other EEO cases within the Department. That knowledge includes such information as the number of existing cases, new filings, cases resolved, etc. I will only become involved and acquire detailed knowledge of cases when I have been advised that they are ripe for my review.

APPENDIX III

Additional Material Submitted for the Record

NATIONAL ASSOCIATION OF
STATE OUTDOOR RECREATION LIAISON OFFICERS,
Tallahassee, FL, May 15, 1991.

Hon. J. BENNETT JOHNSTON,
Chairman, Senate Energy and Natural Resources Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR JOHNSTON: The National Association of State Outdoor Recreation Liaison Officers is pleased to endorse the nomination of former Kansas Governor Mike Hayden to serve as the Assistant Secretary of the Interior for Fish, Wildlife and Parks. On behalf of all of our members, I encourage you to work toward his confirmation.

Mike Hayden was Governor of Kansas from January of 1987 to January of 1991. During that time he made significant commitments to upgrade and improve awareness of parks and recreation and wildlife resource programs. The Department of Wildlife and Parks was created by his executive order merging the former Fish and Game Commission and State Park Resources Authority into a single cabinet-level department. The Governor's objective in this reorganization was to improve services to the public, provide coordinated resource management, and begin new outdoor recreation initiatives.

During his tenure he was the only Governor in the United States professionally trained in conservation and natural resources. In addition to his impressive public-service credentials, he has a bachelor's degree in wildlife biology and a master's in biology. As Governor, he promoted wetland protection and created a major new state park near Kansas City.

Governor Hayden has been insistent that natural resource programs be administered by professional staff. His new Cabinet Secretary and Assistant Cabinet Secretary were both hired as a result of a national search. He is familiar with the Land and Water Conservation Fund program and is a supporter of local-state-federal partnerships for outdoor recreation. He is also an active outdoor recreationist who understands from personal experience many of the problems facing our resources.

Our organization has a long history of working with the Department of the Interior to promote a "National System of Parks" which complements and includes the many fine units of the National Parks System. This partnership approach involving all levels of government is essential if we are to be successful at protecting our critical natural resources and providing quality outdoor recreation opportunities into the future. We look forward to working closely with Mike Hayden to pursue those objectives.

Sincerely,

WILLIAM J. HOPKINS,
President.

PREPARED STATEMENT OF RAMON POWERS, PHD., ON BEHALF OF THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

The National Conference of State Historic Preservation Officers is pleased to support the appointment of Governor Mike Hayden to serve as Assistant Secretary of the Interior for Fish, Wildlife and Parks.

As the Governor of Kansas for four years and previously as a long-time member of the Kansas legislature, he offered strong support to the study of history and placed a high value on knowledge of our heritage. His support of the mandate to teach Kansas history in the state's schools will be a lasting legacy of his administration.

During his years as Governor of Kansas the state's historic preservation program witnessed a number of major accomplishments:

1. The state's historic preservation statute was amended to provide additional protection for historic buildings as well as penalties for illegal demolitions of historic buildings;
2. Provision was made for conservation easements for historic properties;
3. But perhaps the greatest advance of the state's preservation program in the last decade occurred when Governor Hayden signed into law the Heritage Trust Fund Act on May 18, 1990.

It is worth recalling the remarks made on that day by Governor Hayden as he signed the bill. He first noted that May 13 to 19, 1990, had been designated as National Historic Preservation Week with the theme of "Keeping America's Heritage Alive" he then stated:

> I can't think of a better way for us to celebrate Preservation Week than with the signing of the Kansas Heritage Trust Fund bill. This bill recognizes the importance of our state's historic resources and establishes a trust fund from which the State Historical Society can award grants to assist the preservation of officially designated properties. I congratulate those who worked for the enactment of this bill. It should be a most useful tool in keeping our Kansas heritage alive.

We Kansans appreciate the concern that Governor Hayden has previously evidenced for the historic and cultural resources of our state and this country. As the Kansas State Historic Preservation Officer, I am pleased to support his nomination on behalf of the National Conference of State Historic Preservation Officers.

NATIONAL RECREATION AND PARK ASSOCIATION,
Alexandria, VA, June 5, 1991.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We appreciate the opportunity to comment during your consideration of Michael Hayden to be assistant secretary of the Interior for Fish and Wildlife and Parks. From our perspective this is one of the most critical positions in the Federal government. Its broad and potentially conflicting responsibilities demand considerable outreach to the public to constructively approach issues of national policy. We anticipate that Governor Hayden will avail himself of these perspectives and look forward to a constructive and mutually beneficial relationship.

We urge the Committee to explore with Governor Hayden his views relative to recreation policies and especially his perspectives on cooperation with state and local governments to meet recreation demand.

Governor Hayden's task must include the rebuilding of a national public partnership to address recreation services and resource issues. We have witnessed a decade of reference to "partnerships," often in reference to state and local governments, and to recreation initiatives. Yet evidence of any significant recreation initiatives is difficult to find. Consider the following, for example:

- The Administration has requested appropriations for state assistance from the Land and Water Conservation Fund on only one occasion (fiscal 1992) since 1981. At one point it announced that all Land and Water Conservation Fund state assistance should be foregone until all Federal land acquisition needs were addressed. It has not requested funds for urban park rehabilitation since 1981, although it recently claimed credit for fiscal year 1991 congressional appropriations.
- In the last decade (FY 1982–1991) appropriations from the Land and Water Conservation Fund for Federal land systems have totalled $2.405 billion. Land and Water Conservation Fund state assistance was $373.8 million, or about 13 percent of the total. On the one occasion when Land and Water Conservation Fund state assistance was requested, the request represented about 10 percent of the total amount requested from the Fund.
- Public Law 88-29 requires the Secretary of the Interior at five year intervals to present to the Congress a nationwide recreation plan. The last such document was submitted on December 11, 1979. We are aware of no systematic efforts to comply with this statute.

- The Nation's central recreation policy, planning and land conservation strategy agency—the Heritage Conservation and Recreation Service—was ordered abolished on February 19, 1981 and its principal functions transferred to the National Park Service and others. The principal mission of the National Park Service is to manage the National Park System and to anticipate the future of that system and its management. It is essentially consumed by these functions. Documents highlighting the 75th anniversary of the National Park Service this year largely ignore the Service's historic and current recreation missions involving the states and others.
- The role of recreation in disease prevention and health promotion is increasingly well known and the Nation's "Year 2000 national health strategy" (1990) acknowledges these relations. There is no record of Interior Department participation in this process, despite high significance for public recreation policy and capital investments.
- In 1987 a Presidential Commission which assessed "outdoor" issues recommended an "institution for leadership" and conversion of the Land and Water Conservation Fund to a dedicated trust, among other initiatives. These central recommendations have been either ignored or opposed. Two agencies—the Bureau of Land Management (Interior) and the USDA Forest Service—have adopted commendable recreation strategies for resources under their jurisdiction.
- The Administration and the Congress have approved the closing or significant modification of over 100 military bases. Other closures are currently under consideration. Many installations have high future potential for public recreation access. The National Park Service currently devotes only minimal resources to the base closure process and assessments of potential recreation value. Similarly, the closure of savings and loan institutions has resulted in an inventory of over 40,000 pieces of real property. While not primarily responsible for its disposal, with political leadership the Interior Department could contribute significantly to mandated assessments of public recreation value.

In testimony before the House Interior Appropriations Subcommittee in 1990 we commented on the severe decline in fiscal resources for recreation, especially for partnerships. Our statement noted:

> We continue this pattern in the face of alarming conditions and with some peril to ourselves and future generations. Consider, for example: Each day an average of 5,000 acres of "farm and forest" is converted to developed uses; in 1989 our national health bill was about $575 billion—despite medical evidence indicating that most of us could be healthier with active recreation; and that the 1991 budget request for "Ending the Scourge of Drugs" is $10.6 billion in budget authority, $1.4 billion of it proposed for "school, workplace and community."

Neither the Administration nor the Congress will deal unilaterally with these conditions; both must make critical contributions to national recreation policy and programs. Other governments and private interests must be involved also.

Previous assistant secretaries have recently focused on wildlife, wetlands and historic resources. These issues must be addressed. It is time, we believe, that the Department of the Interior give special attention to the human condition and recreation as a means to improve it. Assistant Secretary-designate Hayden will be critical in this process.

We appreciate the opportunity to comment.

Sincerely,

R. DEAN TICE,
Executive Director.

Barbara A. McMillan
R.R. 2 Box 66
Randall, Kansas 66963 Phone: 913-739-2238

May 9, 1991

Dear Senator Biden,

The nomination of former Kansas governor, Mike Hayden, as an assistant secretary in the United States Department of Interior is a great concern to me.

Under Mr. Hayden's administration, two agencies, the Kansas Park and Resources Authority and the Kansas Fish and Game Commission, were combined creating a Cabinet-level agency, the Kansas Department of Wildlife and Parks.

Prior to reorganization we had beautiful, well maintained parks and very hospitable employees. The budget for both agencies was $16,000,000 in 1988.

After reorganization an almost complete about-face occured. Our state parks showed a marked lack of maintenance and park and department personnel became very reserved, as if cloaked in secrecy. In 1990 the budget was $31,000,000.

Kansas' state parks, under Mr. Hayden, were being turned back to nature for wildlife habitat. People would have soon not had state parks for vacationing or weekend retreats.

Mr. Hayden is a good wildlife person and environmentalist, but his philosophy for managing our state parks and employees causes me to be very skeptical of him being in charge of our National Park Service.

Please vote against Mr. Hayden's confirmation when it comes before the senate.

Sincerely yours,
Barbara A. McMillan

May 9, 1991

Dear Senator,

As a citizen of Kansas and having a great deal of information concerning what the Hayden Administration has done to our parks, I feel you must have that information before voting on his conformation for Assistant Secretary to the Department of Interior in charge of wildlife, fisheries, & parks. Attached to this letter is a fact sheet of information. All can be proven.

Mike Hayden's record concerning parks should eliminate him from the position. Our parks in Kansas over the last four years under his administration went from being beautiful, well kept, safe, friendly, and a credit to our state, to that of being unkept, unfriendly, and unsafe. Most monies spent in the Department of Wildlife and Parks went to wildlife and fisheries, including monies budgeted for parks.

While I believe he would do a good job on the wildlife level, I'm concerned that national parks would recieve the same treatment our state parks in Kansas have. I truly believe there is a more qualified person who will be equally fair to both wildlife and parks.

Please vote no on Mike Hayden's appointment.

Respectfully,
Dean Berneking
R3 Box 92
Junction City, Kans. 66441

Facts concerning Kansas Department of Wildlife and Parks under Mike Hayden's Administration

1. Combined budget for both agencies before merger was $16,000,000. Three years after merger the budget was well over $31,000,000.
2. Lack of cooperation of top level people to workers in field.
3. Gag order placed on department employees; were not allowed to speak to members of state legislature without informing immediate supervisor and if they did speak, were reprimanded.
4. Most state park managers were fired or demoted; others were harassed until they resigned or took medical retirement. ALL were replaced with wildlife people.
5. Controlled employees with threats, creating fear.
6. Caused mistrust among employees.
7. Letters of reprimand sent and put in employees files for unjust reasons.
8. Of 47 supervisor and manager positions in the division of Parks and Public Lands, only 13 are park personnel; all others are wildlife.
9. Hiring of people solely for their educational expertise of biology.
10. Park personnel now have to take care of state lakes and assist conservation officers and wildlife-fisheries biologists, leaving park work undone and using park budgeted money in these areas.
11. ALL park rangers eliminated leaving no security for campers and park users. Half of the rangers were made Wildlife Conservation Officers; other half were made Assistant Park Managers or put in lower positions.
12. State parks being opened up for hunting.
13. 50-60% reduction of mowing in parks to provide more wildlife habitat. Park users wade through weeds going to restrooms and getting out of campers.
14. Kansas has 267,000 acres for public hunting and wildlife habitat, but only 33,000 acres for state parks for people to use for recreation. Park use dropped dramatically in 1989-90 because of the above, and #13.
15. Spent thousands of dollars to change color of picnic tables, buildings, and other facilities not needing to be painted.
16. Increased paper work by 400%.
17. Increased number of meetings by 300%.

Reorganization under Mike Hayden's administration was not a merger, but rather a "take over" of the park system by wildlife. Who was alienated and lost the most? The people of Kansas!

222 East 5th Street
Goodland, Kansas 67735
May 21, 1991

Sen. Bennett Johnston
Hart Office Building
Washington, D. C. 20510

Dear Sen. Johnston:

As you are aware, I have some very great concerns regarding former Governor Mike Hayden, Kansas, to serve in any further public service, particularly the nomination of Assistant Secretary of the Interior for Fish, Wildlife and Parks. I believe that the Senate should reject the Hayden nomination because he is a very poor candidate for the position.

I have the very unique perspective to comment on Mike Hayden. A vantage point that no other Kansan has. I have spoken to your staff assistant Donna Denison about my concerns. Also, to Becky Murphy (former Kansan), Special Assistant of the Senate Committee for Energy and Natural Resources. And ten days ago, Sen. Mitchell's assistant Steve Hart.

As I have suggested to these several people, I have the unique perspective to comment on Governor Hayden's character and fitness to serve, like no other Kansan. In an effort to make the record as clear as possible, I am writing this letter to accompany my materials that I am sending by fax. This letter will address six major areas of Mike Hayden, that President Bush can not possibly know anything about. The President has obviously acted on the notion that since Hayden was recently a Governor of one of the 50 States, that experience qualifies him for higher service. It might among some former governors. BUT NOT Mike Hayden.

Let me give you some of those six reasons. The first is that Kansas voters did indeed elect Hayden as the Republican nominee for governor in 1986. I campaigned along side Hayden at several Republican functions in Northeast Kansas. He was among 7 Republicans that were seeking the governor's nomination in the August Primary. He went on to win the 1986 General Election in November.

Two of Hayden's campaign promises that he often repeated in 1986 (again recall that I was also seeking a Republican political nomination--U.S. House for the Second District of Northeast Kansas--in the August Primary, and thus heard and sometimes recorded the Hayden remarks, since we appeared at the same functions together.) He promised to "return the windfall money coming from the changes in Federal income tax laws" that went into effect that year. The truth of the matter was that Mike Hayden never gave back to Kansas citizens one penny of that "windfall" money. In fact Kansas citizens were charged the difference for two of his four years as governor. We continued to pay the higher income taxes for the 1986 and 1987 tax years. In the third year of the Hayden governorship, 1988, Hayden lead the Kansas Legislature, both houses controlled his entire term as governor by the Republicans, to modify the tax burden of the windfall difference. In other words, Kansans would no longer be charged the higher rate. The withholdings would be lower, since the tax rate was now lower. But "return of windfall money", which implies some type of refund or repayment to the taxpayer, is very different in my mind from a repeal of the law to collect the windfall taxes in the first place. Kansas citizens never saw a dime of the "windfall return," Hayden promised.

The second campaign promise was in urging Kansas voters to approve a State-wide lottery. The money was pledged to Higher Education in Kansas, thus lowering the property tax burden. The whole time that Hayden was governor, not one penny of lottery money went to Higher Education. Much of it has gone into a sink hole called "economic development," which is little more than a promotional ploy to try to induce business and industry to locate in Kansas. It must not be working, since Kansas will lose one of its 5 Congressional seats in the 1992 Election, due to massive flight out of the State, especially for jobs.

This brings us to the second major reason why Mike Hayden is unfit for further service. He witnessed his predecessor John Carlin, sign the law calling for Kansas property to be reclassified and reappraised. The law went into effect in 1988-89. Thousands of Kansas citizens have been hit by a huge increase in their property tax bill. I know many that saw their tax bill go up 200 to 300 percent from pre-reappraisal levels. The citizens of this State were screaming for that relief Hayden had promised.

Hayden however had become so ineffective as governor by 1988, that he was unable to lead his own party to provide tax relief in the Legislature, in either 1989 or 1990. There was a lot of talk, but no substance. Reporters and citizens alike were saying that Hayden lacked the leadership ability to rally the issue through the Legislature. Most accused Hayden of having no plan at all to deal with reappraisal. During the 1989 Legislative Session, a Wichita Realtor launched a voter rebellion against Hayden and the Legislature, calling for property tax relief. Nester Weigand became Kansas citizens' spokesman and was on tv and in the news frequently. He never gave up on the issue. The Governor and Legislature never tried to start the issue. In 1990, he would challenge Mike Hayden for the GOP governor nomination in the August Primary. In fact, there were four other GOP candidates, in addition to Mr. Weigand, to challenge Hayden for the GOP governor nomination. Also many of the incumbent legislators decided not be to seek re-election that year.

In the August Primary, Mr. Weigand was very narrowly defeated for the governor nomination. Most Republicans I know, including myself, abandoned Hayden and voted for Weigand. It was a very close finish as my voter results will attest to. (see the certified results from the Kansas Secretary of State) Probably Mr. Weigand would have won the election against Hayden if there hadn't been four other candidates. The four other candidates received 12.99% of the vote. Weigand received 42.25% of the vote. Hayden received 44.73%. So if you theorize that 55.24% of the 309,560 total Kansas votes cast were cast in opposition to Hayden, Kansas citizens voted him out of office in August 1990. If there was only one candidate challenging him, then he would have easily been defeated for the Republican nomination. As I said, Mr. Weigand was narrowly defeated by Hayden for the nomination. The issues were Hayden's inability to govern and lead property tax relief measures through the Kansas Legislature, and his total lack of leadership in almost every issue that faced Kansas citizens.

Hayden did not fare as well in the 1990 November General Election. After three months of the bitterest campaign I have ever seen for Kansas governor, complete with actual mud-throwing unto pictures of Democrat State Treasurer Joan Finney, Treasurer Finney beat Mike Hayden by some 6 percentage points. (Of 783,325 votes cast, Hayden received 333,589 or 42.58%. Finney received 380,609 votes or 48.58%.) There was also considerable support for a third candidate from Wichita. (Campbell-Cline received 8.82% or 69,127 votes.) Hayden lost many of the Republican strong holds in Western Kansas that he counted on to win. The third candidate's totals in combination with Treasurer Finney would have given him losses in several counties that he won in. He lost nearly everywhere. We Republicans were tired of this "hick" running our State into the poorhouse. Rather the voters were going to the poor house.

Kansas is a Republican State, (For the 1990 General Election, there were 358,331 registered Democrats and 530,628 registered Republicans. Also 315,098 Unaffiliated voters and 517 Libertarian voters. For a total of 1,204,574, up from 1,166,031 registered for the August Primary. See copies of the Election Statistics, published by the Secretary of State.) and has been for most of our State's history. Republicans drew up the present boundaries in 1861. Republicans have controlled the governor's chair and Legislature for most of our history. Yet we rejected Mike Hayden's bid for a second term. Even the President could not boost his popularity among Kansas voters. We knew the fuller story. Mike Hayden could not manage the State or lead us to property tax relief. Now how can he manage the Nation's wildlife and national parks?

My next reason that has drawn recent press attention again involves illegal campaign financing by a former Kansas Republican Lt. Governor, Dave Owen. He was accused of funneling large quantities of money into the Hayden election effort. The contributions have been accused of being a violation of Kansas campaign finance laws. Hayden has always stated that he didn't know what was going on in his election committee. He has claimed that he was not involved in the scandal. But isn't it the responsibility of every candidate to know what his campaign is doing and especially where the money is coming from. It seems beyond reason that Hayden "didn't know what was going on," in an election campaign that is nearly as big a scale as would be a Senate race. Only a Presidential race would be a bigger effort. There just doesn't seem to be much accountability from the Hayden camp to answer the charges that Dave Owen has raised by his own difficulties.

My fourth reason is one that concerns me directly. Hayden appointed some individuals to be district judges in Kansas. A district court is the court of general jurisdiction, for divorce, civil suits, and felony trials. One appointment comes into my mind very quickly. That appointment is Larry Solomon to be a district judge in the thirtieth judicial district of South Central Kansas. I believe that Larry Solomon is incompetent. The reason I say that is because he was the first administrator in my late father's estate. My Dad died in Kingman, Kansas, the location of the district judgeship and home of Larry Solomon.

For the last six months, a doctor has been trying to secure his fees for treatment in Dad's last illness. He filed his claim in November 1988, and by October 1990, the claim had never been paid. Yet Solomon has paid certain claims and failed to pay certain others. He has also charged the estate nearly $4,000 in attorney fees. I have turned Solomon into the State agency for the discipline of attorneys. (My 15 years of experience in dealing with this body has left it no respect in my mind. The board is composed entirely of lawyers supposedly policing lawyers. I have been lobbying Legislators and in January 1990, I even had a televised press conference calling for reform in our courts. It might be important to note that I have achieved a certain respect and notoriety that I can call a press conference on a non-election issue and have an attendance. It was a nice feature story on the 6:00 news on Topeka's WIBW/CBS Affiliate and news rating leader for Northeast Kansas.) Since this latest round of breaking news, I think that I might have to turn Solomon's name into the Disciplinary Board again, because this non-payment issue really demonstrates that he and is hand-picked successor are both incompetent. And he is a Hayden appointment to the bench. He will probably have to commit murder, in the presence of 100 witnesses, to be removed from his office. (I am sending some of the court papers to help give you a flavor of what I think this man's caliber is.)

My fifth reason concerns Hayden's fitness to manage our National Treasures in the Parks, Wildlife and Fish. Mike Hayden has no background in any environmental issues, since Kansas thinks that it does not have any major environmental problems. Much of the State has pure clean air and water. The major industries are agriculture and aircraft building. There are no steel mills or major coal mining activities in the State.

Hayden's only contributions to the environment while Governor is to push the low level nuclear waste deposit site out of Kansas and into Nebraska. This Central Interstate Low Level Radioactive Waste Compact is a 5 State nuclear waste compact to establish a depository for nuclear low level wastes storage. But Nebraska Governor Ben Nelson is unhappy about Kansas' reluctance to allow Nebraska to set waste deposit fees, since it has agreed to become the waste site host. The issue was held up for study by Kansas Senate Energy Committee Chairman Ross Doyen, just prior to the end of Session on April 24th.

Hayden also got a water use bill passed into law, that provides a water fund for "a hedge your bets" approach to Kansas' future water supply. I know many farmers that feel that the Water Resources bill has hurt their operations. And these farmers are from many Western Counties where water is becoming more scarce every year, with the underground water table falling at least a foot a year. Hayden's Water Resources bills have inadequate provisions to insure that there is enough water for everyone in the near future. It seems to be weak in terms of conservation and alternative uses of water.

The only area that Hayden might be qualified on in terms of wildlife or the environment is that he is an active fisherman and hunter. Neither of these pastimes qualify him to manage millions of acres of Federal lands or the vast numbers of wildlife that those acres include, whether fish, bird, or land animal. Being a sportsman does not give you habitat or animal species management experience. Hayden's lack of experience in either animal or plant biology should automatically disqualify him from the experimental management of America's national parks and wildlife treasures.

And another testimony of Mike Hayden's outdoor management ability can be seen in his home town of Atwood, or Rawlins County. In Rawlins County, one can find the Atwood Lake. Mike Hayden and his family were instrumental in getting the lake established in the area. But after the lake was in place, its care and maintenance has been non-existent. Based on what people tell me who have lived in Rawlins County, recently, it seems that the lake is a long way from being a resource. I would hate to see this same type of management style take over the national parks. Granted, Hayden might not have been directly responsible for maintaining the lake, but one would think that if you promote a project, you would want to see it maintained and continued.

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originally contacted your office about. It is the reason that I can speak directly and the most personally about. It is the involvement of Mike Hayden in an effort to rig the August 2, 1988 Primary Election in the Second Congressional District. More to the point in Shawnee County and Capital City Topeka.

I am enclosing a copy of a detailed presentation of the 1988 Election analysis that I personally presented to Mike Hayden. I told him that the issues in its content needed his response. He and I needed to meet, one on one, to "clear the air." For two years I tried to "clear the air" with Mike Hayden. I tried every avenue. Visits to his office. Talks with various of his staff members responsible for his calendar, from the chief of staff, Dennis Taylor, on down. Telephone calls to follow up those office visits. Letters to follow up the phone calls. Visits to the Governor's offices to follow up the letters. Even finding myself on the KTKA-49/ABC Affiliate 10:00 P.M. news for seeking an appointment with Governor Hayden, over the issue of Election Reform was not enough to get the Governor to give me that audience. Even asking for that audience in front of a room full of people, where I was the only person who he could call by their first name, was not enough. This was when he made a "re-elect Mike" campaign stop in Northwest Kansas in March of 1990, speaking in a Goodland, Kansas donut shop. With the Topeka television cameras present, I could not get Mike Hayden to set up the meeting. The Topeka press corps were very interested in seeing how my efforts to talk to him would resolve. They even wanted to interview us both after such a meeting. Nothing worked for two years.

Although the Election report is very detailed and very precise on many areas, I must add some details to it. These details will help paint the fuller picture.

I first sought the Republican nomination for the US House seat, Second District in 1984. There were two other candidates. Bob Laflin and Jim Van Slyke. I won 23% of the vote, and won three Counties--Douglas and Leavenworth (the second and third most populated areas behind Shawnee/Topeka) and Brown (the most depressed agricultural economy in the State). Mr. Laflin and I refused to support the nominee Van Slyke. I have detailed the reasons why. He was involved in some dirty tricks in a previous Congressional race.

Van Slyke hated me from the moment some of my thoughts about him hit the papers. Never mind that Bob and I were both interviewed on KANU radio. From that point on, through my next two Congressional efforts in 1986 and 1988, Van Slyke was there to oppose me. In 1986, he was part of a GOP conspiracy to draft a KU college student who didn't even live in the district until the day he filed for office. The State Party people paid his filing fee, gave him favors of many kinds--secretarial, campaign contributors lists, open endorsement before the August Primary, which Republicans always say they don't do. Van Slyke was then Shawnee County GOP Chairman. He was the only Chairman of the 13 County District to come out and openly endorse Phil Kline, "Phil #1." In spite of the overt Party support, I almost beat Mr. Kline in the August Primary in 1986, splitting the vote to less than 1% point. I lost by 347 votes in over 40,000 cast.

Then in 1988, Van Slyke was still in place as Shawnee Chairman. He was a party to the deliberate omission of me from the voter's guide. Newsmen discovered that 5,000 guides were mailed to GOP homes in Topeka. Probably targeting 2 voters to a home. So I lost Shawnee County in a very lopsided way. 10,220 to 2,048. 17% to 83%. I had won Shawnee County in 1986.

Mike Hayden had a role in this effort. In June he visited with R.R. Anderson, owner of a recreational vehicle business in South Topeka (Anderson Enterprises). That visit lasted for about an hour. It was a visit that followed the letter that I make mention of in the report. The letter asked Mr. Anderson to become the campaign finance chairman for the Meinhardt campaign. Mr. Anderson was not interested for a number of reasons, that he later told the Governor in their private meeting. Mr. Anderson's letter and written response, and his own testimony should be subpoenaed and added to the official record. They would surely link Mike Hayden to these covert efforts to defeat Stan Eckert in Shawnee County. If it could be accomplished in Shawnee County, 40% of the District population, then I could probably be beaten in the total election result. Which is what happened. I could not recover from the 8,000 vote gap in Shawnee County, even though I won several other counties, including the second and third largest urban areas again.

But Governor Hayden's involvement in this election fraud goes deeper than just his recruiting Republicans to back Meinhardt. It was the complicity that he was involved with other GOP officials. It is important to note that GOP State Party Chairman Fred Logan was a Mike Hayden appointment. Recall the remarks that he makes on the filing deadline day. He and Hayden both deny the content, but I talked with reporters and their memory is clear. And Jim Cates was previously the Second Congressional District GOP Chairman. HE is the point man who went to enlist Meinhardt to return to Kansas to run, and lied about that fact to me. Again newsmen later recalled that Meinhardt had been enlisted to run. I might add that in the 1986 race, the GOP Executive Director, Eric Rucker, who is now a Shawnee County Commissioner, actually stood in the doorway to the Secretary of State's Office and tried to prevent me from entering inside the Office so that I could file for office. I filed on the last day, and he was there to intercept me. The GOP had their candidate and he did not want me to run. Period. When

I have talked to the GOP leadership in 1988 and afterwards, it became clear that they were all trying to cover-up for one another. It was obviously clear that something was amiss, when the 1988 Executive Director Cathy Whitaker was making all those comments about running a neutral campaign effort where the Party would stay out of the process until after the Primary Election. And something was amiss. I had a friend who ran for the Kansas House from Southwest Lawrence. She went to many of the "insider" GOP meetings. She reported that Stan Eckert was not liked in Party circles. I was branded a "liberal," even though conservative GOP Legislators in the Kansas House thought they "looked liberal next to me." I was the subject of much discussion in those meetings. How my campaign failed. How to make it fail. The Meinhardt strategy was to hit me with mud the last two weeks before the election. I was fighting the Party almost the whole campaign, so it wasn't as effective as it could have been. And I had previous name recognition where he did not.

Why is all this important? During the 1988 Election season, Mike Hayden was the Leader of the Kansas Republican Party. He was the State standard bearer. He was the one who appointed Fred Logan, Party Chairman. He was the one who was trying to recruit Republican support for the Californian over me. He was the one who would stoop to any level to prevent Rep. Jim Slattery from becoming his 1990 Re-Election rival. Slattery would have beaten Hayden rather easily. And since Hayden was the leader of the Kansas Republican Party, nothing was done "inside the Party circles," without his knowledge and involvement. Hayden's wife Patty is featured in the Shawnee County Voter's Guide. And in a conversation I had with Atchinson Globe newspaper Publisher Larry Garvey, he confirmed what I already knew. It was rather common knowledge among the press corps in Northeast Kansas, that Hayden was going to do everything he could do to try to defeat me. Mr. Garvey knew of the voter's guide and Hayden's involvement in the over-all effort to starve me of the victory that I had worked very hard to obtain for two years. I've talked with Topeka Capitol Journal reporters who knew the same thing. And when I called a post election press conference, every media in Topeka was present-- radio, television, print, and wire services. No one seemed to act surprised when I unveiled the Voter's Guide for all to see. And even if Hayden didn't direct Van Slyke to leave me out of the Guide, he had knowledge of it. And he was speaking out of both sides of his mouth. I can show letters early in his term as governor. Then the letter in early June 1988, just days before the filing deadline, where he offered me his best wishes. By the latter part of June, he was fully and deliberately on the Meinhardt side trying to enlist prominent Republicans to the "cause." The trail of paper and circumstances is just to much to try to cover-up. Mike Hayden became a party, and active participant to corrupt the August 2, 1988 Primary Election in Shawnee County. And every time

I talked with his staff members, they all tried to act like this "incident" never happened. Dennis Taylor, Hayden's Chief of Staff, even suggested that I "forget about the past and go on." Easy for him to say. I was the wounded party and I had not been given satisfaction.

It is important for me to speak out at this critical junction in our Nation's History. In December, this year, we Americans will celebrate the 200th Anniversary of the Bill of Rights. These 10 Amendments are more than just words. They are our Birthright. They make us a Free People. Later Amendments to the Constitution speak of providing all people the free and unfettered Right to Vote--to Vote their choice and their conscience. What Mike Hayden and the few Kansas Republicans sought to do was deny Northeast Kansas residents the opportunity to vote their conscience and their convictions. The choice in Shawnee County was certainly "corrupted." This "incident" attacks everything the Bill of Rights stands for! Mr. Madison and Mr. Jefferson would turn over in their graves if they knew that such an individual as Mike Hayden could go on to higher office--in effect to be rewarded for his efforts to corrupt the Election choices of Free People! Even if it were only the choices made by some 11,000 people. Their Right to choice, was tampered with. Their heritage as Americans, Free People, was abused and denied.

Senator, I urge you and all the Members of this Committee and this Senate to ban together and refuse to accept the Hayden nomination. We must respect the Constitution and the Bill of Rights. They must stand for all of us, or they mean nothing to all of us. Please, on behave of the theme of the Bill of Rights and our heritage to choose, please deny the Hayden nomination. He is unfit to serve, if I am the only one who is injured. But I am not. The Constitution is injured! The Bill of Rights is injured! All Americans are injured when a rigged election is allowed to go on unpunished. And ESPECIALLY are all Americans injured when the mastermind and main conspirator is REWARDED for his efforts to corrupt and subvert the Free Choices of 11,000 Americans. Mike Hayden MUST NOT BE CONFIRMED FOR THE SIX REASONS I'VE GIVEN. BUT ESPECIALLY FOR HIS EFFORTS TO RIG AN ELECTION, THE MOST HEINOUS TYPE OF CRIME, BECAUSE IT DENIES US OUR LIBERTIES AS FREE PEOPLE.

I have been teaching the United States Constitution at the College level for the past two years. How will I explain to my students that the Senate confirmed such a man as Mike Hayden? How will I explain to those students, that the ideals and values of James Madison still mean something to Americans today, if the process fails and allows Mike Hayden to be confirmed, in light of all this involvement to destroy that which is most sacred--our Right to Choose and Vote our Conscience? Senator, Senators, I ask you how

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Would you answer these QUESTIONS? Isn't it time for the Senate of the United States to stand up to the Presiden' when he submits a bad choice? Does not America deserve that? Should not America demand that of the United States Senate? Please vote to deny this nomination to a high public trust. If you don't vote to deny, then please help me answer the questions about how the system failed, how the Constitutional process failed. Please answer those questions for my students, past and future. And for the rest of America.

Thank you. May God guide you to make the right choices in this critical matter.

Sincerely yours,

Stan Eckert
Stan Eckert